

# AGENDA City Planning Committee Meeting Open Portion

Monday, 14 September 2020 at 5:00 pm

#### THE MISSION

#### Working together to make Hobart a better place for the community.

#### THE VALUES

The Council is:

**People** We care about people – our community, our customers

and colleagues.

**Teamwork** We collaborate both within the organisation and with

external stakeholders drawing on skills and expertise for

the benefit of our community.

**Focus and Direction** We have clear goals and plans to achieve sustainable

social, environmental and economic outcomes for the

Hobart community.

**Creativity and** 

We embrace new approaches and continuously improve to Innovation achieve better outcomes for our community.

**Accountability** We are transparent, work to high ethical and professional

standards and are accountable for delivering outcomes for

our community.

### **ORDER OF BUSINESS**

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

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City Planning Committee Meeting (Open Portion) held Monday, 14 September 2020 at 5:00 pm.

This meeting of the City Planning Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.

COMMITTEE MEMBERS Apologies:

Deputy Lord Mayor Burnet (Chairman)

**Briscoe** 

Harvey Leave of Absence: Nil.

Behrakis Dutta

**NON-MEMBERS** 

Lord Mayor Reynolds

Zucco

Coats

Sexton

Thomas

Ewin

Sherlock

## 1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY

#### 2. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the City Planning Committee meeting held on Monday, 31 August 2020, are submitted for confirming as an accurate record.

#### 3. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015.

#### Recommendation

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

#### 4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the Local Government (Meeting Procedures) Regulations 2015.

Members of the committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

#### 5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

## 6. PLANNING AUTHORITY ITEMS - CONSIDERATION OF ITEMS WITH DEPUTATIONS

In accordance with the requirements of Part 2 Regulation 8(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager is to arrange the agenda so that the planning authority items are sequential.

In accordance with Part 2 Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee by simple majority may change the order of any of the items listed on the agenda, but in the case of planning items they must still be considered sequentially – in other words they still have to be dealt with as a single group on the agenda.

Where deputations are to be received in respect to planning items, past practice has been to move consideration of these items to the beginning of the meeting.

#### RECOMMENDATION

That in accordance with Regulation 8(4) of the *Local Government (Meeting Procedures) Regulations 2015*, the Committee resolve to deal with any items which have deputations by members of the public regarding any planning matter listed on the agenda, to be taken out of sequence in order to deal with deputations at the beginning of the meeting.

#### 7. COMMITTEE ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Committee to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Committee will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Committee is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

## 7.1 APPLICATIONS UNDER THE HOBART INTERIM PLANNING SCHEME 2015

7.1.1 23 COMMERCIAL ROAD, NORTH HOBART - PARTIAL DEMOLITION, ALTERATIONS, EXTENSION, NEW BUILDING FOR EDUCATIONAL AND OCCASIONAL CARE (GYMNASIUM), SIGNAGE AND ASSOCIATED WORKS (RE-ADVERTISED - ADMINISTRATIVE CORRECTION)

PLN-20-197 - FILE REF: F20/97666

Address: 23 Commercial Road, North Hobart

Proposal: Partial Demolition, Alterations, Extension, New

Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works (Re-advertised – Administrative Correction)

Expiry Date: 22 September 2020

Extension of Time: Not applicable

Author: Cameron Sherriff

#### RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for partial demolition, alterations, extension, new building for educational and occasional care (gymnasium), signage and associated works (re-advertised -administrative correction) at 23 Commercial Road, NORTH HOBART for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

#### **GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-197 - 23 COMMERCIAL ROAD NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

**TW** 

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00416-HCC dated 28/04/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

#### THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6225 dated 12 June 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

#### **PLN 14**

The noise generated by the use of the gymnasium must not cause environmental harm.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

#### **PLN 17**

All external lighting and security lighting installed as part of the development must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

#### PLN<sub>6</sub>

The gymnasium must not be used outside of the following hours:

8.00am to 6.00pm, Seven days a week.

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

#### PLN s1

The gymnasium is approved for use as part of the operation of the school within the overall site. It must not be used for any other use, or by any other organisation not associated with the operation of the school as an educational establishment.

Reason for condition

To ensure the site operates within the confines of its existing approved use right and to ensure that non-residential use does not unreasonably impact upon residential amenity.

#### ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Advice:

Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

#### **ENG sw8**

Stormwater discharges from the development site for each stormwater connection must be limited to the existing flow rate for a 5% average exceedance probability storm event regardless of duration.

#### Advice:

Stormwater detention may be required for the proposed gymnasium if consolidation of existing stormwater connections is proposed. It is recommended that a thorough assessment of all existing stormwater connections is undertaken prior to detailed design of the stormwater system.

#### Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

#### ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition). The construction traffic and parking management plan must:

- 1. Be prepared by a suitably qualified person.
- 2. Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
- 3. Include a start date and finish dates of various stages of works.
- 4. Include times that trucks and other traffic associated with the works will be allowed to operate.
- 5. Nominate a superintendant, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in

accordance with the approved construction traffic and parking management plan.

Advice:

Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

#### ENG 3a

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

#### ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

#### ENG 5

The number of car parking spaces approved gaining access from the existing Carr Street vehicle access is twelve (12).

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

#### ENG9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

In the interests of vehicle user safety and the amenity of the development.

#### **ENG 11**

Prior to the commencement of the use, the proposed crossover to the Carr Street highway reservation (adjacent to 24 Carr Street) and the reinstatement of the kerb and footpath at the proposed abandoned Carr Street crossover must be designed and constructed in general accordance with:

 LGAT Standard Drawing - Urban - TSD-R09-v1 - Urban Roads Driveways, TSD R14-v1 Type KC vehicular crossing and TSD R11-v1 Urban Roads Footpaths, or

- LGAT Standard Drawing Commercial Urban- TSD-R09-v1 Urban Roads Driveways and TSD R16-v1 Type KCR & B1 or Type KCRB & B1, or
- 3. a Council City Infrastructure Division approved alternate design.

#### Advice:

Local Government Association (LGAT) Tasmanian Standard Drawings (TSD) can be viewed electronically via the LGAT Website.

Please note that your proposal does not include adjustment of footpath levels. Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.

Please contact Council City Infrastructure Division to discuss approval of alternate designs. Based on a site specific assessment, Council City Infrastructure Division Road Engineer may permit non-standard crossovers. You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click here for more information.

#### Reason for condition

In the interests of vehicle user safety and the amenity of the development.

#### ENG<sub>1</sub>

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

- Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
- 2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

#### Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

#### **ENG 13**

The proposed new vehicular access adjacent to 24 Carr Street must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Adequate sight distance between user vehicles, cyclists and pedestrians may be achieved by one of the following methods:

- 1. Compliance with Australian/NZ Standard, Parking facilities Part 1: Off- street car parking AS/NZS 2890.1: 2004 Fig 3.3;
- Pedestrian gate width of 1m which will ensure 1x1m sight triangles between the access and 24 Carr Street side boundary fence.

#### Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

#### ENV<sub>2</sub>

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available here.

All work required by this condition must be undertaken in accordance with the approved SWMP.

#### Advice:

Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

#### Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

#### SUB s1

The titles comprising the development site (CT 130044/1, CT 130045/1, CT 112673/16, CT 112683/1 and CT 53529/1) are to be adhered in accordance with the provisions of Section 110 of the Local Government (Building and Miscellaneous Provisions) Act

1993, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the *Building Act 2016* (if applicable), or the commencement of works on site (whichever occurs first).

Advice:

The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

Reason for condition

To ensure compliance with statutory provisions.

#### ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's website for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's Online Service Development Portal. When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

#### Value of Building Works Approved by Planning Permit Fee:

Up to \$20,000: \$150 per application.

Over \$20,000: 2% of the value of the works as assessed by the City's

Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the Online Service Development Portal, if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, pleased call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

#### **BUILDING PERMIT**

You may need building approval in accordance with the *Building Act 2016.* Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the Land Use Planning and Approvals Act 1993.

#### **PLUMBING PERMIT**

You may need plumbing approval in accordance with the *Building Act* 2016, *Building Regulations* 2016 and the National Construction Code. Click here for more information.

#### OCCUPATION OF THE PUBLIC HIGHWAY

As you propose a new access and reinstatement of abandoned access you will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click here for more information.

#### STORMWATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

#### **WORK WITHIN THE HIGHWAY RESERVATION**

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

#### DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

#### REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click here for more information.

#### **ACCESS**

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click here for more information.

#### **CROSS OVER CONSTRUCTION**

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click here for more information.

#### TITLE ADHESION

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

#### **WEED CONTROL**

Effective measures are detailed in the *Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment* (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment website.

#### **WASTE DISPOSAL**

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

#### **FEES AND CHARGES**

Click here for information on the Council's fees and charges.

#### **DIAL BEFORE YOU DIG**

Click here for dial before you dig information.

Attachment A: PLN-20-197 - 23 COMMERCIAL ROAD NORTH

HOBART TAS 7000 - Planning Committee or

Delegated Report I

Attachment B: PLN-20-197 - 23 COMMERCIAL ROAD NORTH

HOBART TAS 7000 - CPC Agenda Documents U

Adebe

Attachment C: PLN-20-197 - 23 COMMERCIAL ROAD NORTH

HOBART TAS 7000 - Planning Referral Officer

Cultural Heritage Report I



#### **APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee

Council: 21 September 2020 Expiry Date: 22 September 2020

Application No: PLN-20-197

Address: 23 COMMERCIAL ROAD, NORTH HOBART

Applicant: (The Friends' School)

23 Commercial Road

Proposal: Partial Demolition, Alterations, Extension, New Building for Educational and

Occasional Care (Gymnasium), Signage and Associated Works (Re-

Advertised - Administrative Correction)

Representations: Eight (8)

Performance criteria: Inner Residential Zone Use and Development Standards; Road and Railwa

Assets Code; Parking and Access Code; Electricity Transmission

Infrastructure Protection Code; Historic Heritage Code

#### 1. Executive Summary

1.1 Planning approval is sought for Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works, at 23 Commercial Road New Town.

#### 1.2 More specifically the proposal includes:

- Redevelopment of the existing WN Oats Centre on the site, changing its use
  from a gym to a teaching space, with internal alterations to create a two level
  space with new classrooms, and external alterations consisting of new and
  altered windows, skylights, new doorways, a new external lift core and new
  covered pedestrian linkway to the existing North Block building. The exterior of
  the building is also proposed to be rendered off-white.
- A new flat-roofed, two-storey equivalent gym building fronting Carr Street located on the site of existing tennis courts at the northern extent of the campus. The gym is for whole of school use, providing for a multitude of sports and also including change rooms, toilet facilities, a staff room, two offices, storage spaces and two general learning areas.
- A new lift/stair core is proposed on the northern facade of the existing North Block building which will allow for equitable access to the proposed gym via a

- raised open linkway connection. The gym building is to be finished with a red brick base and off-white pre-cast concrete external walls.
- Landscaping, pathways and garden beds are proposed around the new gym, as well as fencing and gates to the north-eastern side boundary. An all weather pick up/drop off areas is incorporated within the Carr Street forecourt, partially covered by a verandah awning. An external stairway link path is also shown between the proposed gym building and the Friends Health and Fitness building adjacent to the north-west.
- Wall signage is proposed on the upper level of the Carr Street facade of the new gym, likely consisting of the school crest and name of the gym, in a style consistent with other signage elements throughout the campus.
- Alterations to the existing Carr Street vehicle access to the site are also proposed, with a reduced width of the existing carpark crossover, and an additional crossover for access to the northern side of the new gym proposed.
- The existing carpark between the North Block and the proposed gym will be
  revised to accommodate the proposed lift and stairs to North Block, resulting in
  a more refined and access compliant parking layout but with the loss of three
  parking spaces from this parking area for a new total of twelve. In addition, 33
  parking spaces are provided elsewhere on the campus in an existing parking
  area off Commercial Road.
- The proposed development caters to existing student numbers (approximately 560) and no intensification of student numbers is proposed. As such, the use of the campus is not proposed to be intensified.
- The operating times of the proposed gym reflect those of the current gym, being more intensive and consistent use between weekday school hours (8.30am to 4.00pm) and infrequent and less intensive outside school hours use on weekdays (generally 4.00pm to 8.00pm) and weekends by school and community groups for training and social sport (potentially between 9.00am and 8.00pm), which is currently reflective of the existing use of the site, noting that as is currently the case for much of the time during these periods, the facility will not be being used.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Inner Residential Zone Use Standards Hours of Operation; External Lighting
  - 1.3.2 Inner Residential Zone Development Standards Setbacks and Building Envelope; Frontage Fences
  - 1.3.3 Road and Railway Assets Code Site Distances at Accesses, Junctions and Level Crossings
  - 1.3.4 Parking and Access Code Number of Car Parking Spaces; Design of Vehicular Accesses

- 1.3.5 Historic Heritage Code Heritage Place Demolition and Works
- 1.4 Eight (8) representations objecting to the proposal were received within the statutory advertising periods between 27 May and 11 June 2020 and between 18 August and 01 September 2020.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Council, because more than five objections have been received.

#### 2. Site Detail



Image 1: Aerial view of the subject property and surrounds. The green circle over the tennis courts represents the site of the proposed new gym. The green circle below highlights the WN Oates Centre Gym, which will be adapted for use as additional classrooms.

2.1 23 Commercial Road, North Hobart is one of two campuses of The Friends' School, the other being located on Argyle Street to the north of the subject site. The Commercial Road campus is made up of five separate titles in common ownership, totalling an area of around 2.4 hectares. Several school buildings exist throughout the site, as well as open space, playing fields and courts. The site slopes downhill from its north-western end to its south-eastern end and is located to the east of the top end of Elizabeth Street, close to the New Town Road/Augusta Road intersection. The site has long frontages to both Commercial Road and Carr Street, with its primary access being from Carr Street. The site is surrounded primarily by residential properties, with the school-owned Friends' Health and Fitness Centre also adjoining at its north-western end.

#### 3. Proposal

- 3.1 Planning approval is sought for Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works, at 23 Commercial Road New Town.
- 3.2 More specifically the proposal is for:
  - Redevelopment of the existing WN Oats Centre on the site, changing its use from a gym to a teaching space, with internal alterations to create a two level

space with new classrooms, and external alterations consisting of new and altered windows, skylights, new doorways, a new external lift core and new covered pedestrian linkway to the existing North Block building. The exterior of the building is also proposed to be rendered off-white.

- A new flat-roofed, two-storey equivalent gym building fronting Carr Street located on the site of existing tennis courts at the northern extent of the campus.
   The gym is for whole of school use, providing for a multitude of sports and also including change rooms, toilet facilities, a staff room, two offices, storage spaces and two general learning areas.
- A new lift/stair core is proposed on the northern facade of the existing North Block building which will allow for equitable access to the proposed gym via a raised open linkway connection. The gym building is to be finished with a red brick base and off-white pre-cast concrete external walls.
- Landscaping, pathways and garden beds are proposed around the new gym, as well as fencing and gates to the north-eastern side boundary. An all weather pick up/drop off areas is incorporated within the Carr Street forecourt, partially covered by a verandah awning. An external stairway link path is also shown between the proposed gym building and the Friends Health and Fitness building adjacent to the north-west.
- Wall signage is proposed on the upper level of the Carr Street facade of the new gym, likely consisting of the school crest and name of the gym, in a style consistent with other signage elements throughout the campus.
- Alterations to the existing Carr Street vehicle access to the site are also proposed, with a reduced width of the existing carpark crossover, and an additional crossover for access to the northern side of the new gym proposed.
- The existing carpark between the North Block and the proposed gym will be
  revised to accommodate the proposed lift and stairs to North Block, resulting in
  a more refined and access compliant parking layout but with the loss of three
  parking spaces from this parking area for a new total of twelve. In addition, 33
  parking spaces are provided elsewhere on the campus in an existing parking
  area off Commercial Road.
- The proposed development caters to existing student numbers (approximately 560) and no intensification of student numbers is proposed. As such, the use of the campus is not proposed to be intensified.
- The operating times of the proposed gym reflect those of the current gym, being more intensive and consistent use between weekday school hours (8.30am to 4.00pm) and infrequent and less intensive outside school hours use on weekdays (generally 4.00pm to 8.00pm) and weekends by school and community groups for training and social sport (potentially between 9.00am and 8.00pm), which is currently reflective of the existing use of the site, noting that as is currently the case for much of the time during these periods, the facility will not be being used.

3.3 Submitted architectural renders of the proposed gym building follow below (Images 1 to 3):



Image 1: Architect's render of the proposed gym as seen from front on Carr Street.



Image 2: Architect's render of the proposed gym as viewed from downhill on Carr Street.



Image 3: Architect's render of the proposed gym building viewed from the north across Carr Street.

#### 4. Background

4.1 Initial discussions with Council Officers occurred prior to submission of the application. The application was readvertised after the initial advertising period as it was discovered late that the application was subject to the Electricity Transmission Infrastructure Protection Code of the *Hobart Interim Planning Scheme 2015*, and required the input of TasNetworks.

#### 5. Concerns raised by representors

- 5.1 Eight (8) representations objecting to the proposal were received within the statutory advertising period between 27 May and 11 June 2020 and three of these original representors followed up with additional comments in the second round of advertising between 18 August and 01 September 2020.
- 5.2 The following table outlines the concerns raised in the representations received. Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

Some support for ongoing development within the School.

Conflicting information across the submitted application documents.

Negative impacts upon surrounding residential area, including:

- Impact of the location of the gym adjacent to residential properties. Gym should be alternatively located off Commercial Road.
- The gym is not consistent with the built form of surrounding buildings, does not provide transition and does not positively contribute to the streetscape.
- The gym does not adequately address unreasonable overshadowing, overlooking or visual impacts.
- No summary of where the application is non-compliant but concerns about the degree of non-compliance, including the gymnasium's breach in of height standards.
- Impact upon surrounding land values.
- Negative impacts upon adjacent heritage areas and buildings.
- New development impinging on views of the mountain for some nearby properties.
- Scale of development will contribute to wind tunnelling effects on Carr Street.

#### Intensification/Change of use concerns, including:

- Increased/Intensified use of the site misleading information in application and lack of clarity around the proposed use of the new development. Concern that the proposal seeks a change of use beyond that of a school given the development will provide desirable updated facilities.
- Changing from two tennis courts with low use to a 100 spectator gymnasium is a significant change of use.
- Concern that the gym will be used as part of the Health and Fitness Centre operations.
- No need for an extra gym on top of two existing.
- Hours of operation and in particular weekend use of the gym should be limited to 6.00pm Monday to Thursday and 4.00pm Fridays and weekends.
- 9 new classrooms overall suggests an increase in students.

#### Traffic/Parking concerns, including:

- Additional parking/traffic/safety impacts upon the local area, exacerbated by other commercial uses nearby, primarily the Friends Health and Fitness Centre but also other nearby uses, and the lack of available parking in the area which has also been made worse by the new pick up/set down spaces outside the school which were done with no community consultation.
- The school is ignoring current parking/traffic issues, dismissing them as a Council problem.
- Increased need for parking and proposed on site and on street parking arrangements have not been adequately addressed.
- Parking should have been incorporated into the design. The proposal should be increasing parking on site, not reducing it.
   Use of outdated traffic data for the traffic study. Traffic study not accurate does not consider 100 spectators.

#### Other residential amenity impacts, including:

- Noise concerns from more intensified use of the new gym, and questions about validity of the included noise report. Basketball should be prevented from occurring due to the noise impact of bouncing balls.
- Lack of light study in terms of the effect of external lighting on nearby residents.

#### Lack of good communication, including:

- Proposal highlights the school's poor communication with local residents.
- Lack of consultation/community engagement/transparency by the school towards local residents. Lack of consideration of local residents and community.

No detail of the construction process – traffic and parking issues will be compounded during construction.

#### 6. Assessment

6.1 The Hobart Interim Planning Scheme 2015 is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

- The site is located within the Inner Residential Zone of the *Hobart Interim Planning Scheme 2015*.
- 6.3 The existing use is Educational and Occasional Care. The proposal maintains this use. Educational and Occasional Care is a discretionary use in the zone. The proposal clearly states that the development is not associated with any increase to the intensity of the use of the school site. Existing student numbers, at approximately 560, are not proposed change and the new gym will replace the operation of the existing gym, which will be converted to classrooms to provide more up to date teaching spaces and facilities to complement those already located around the campus. There is no change of use, or increase in intensity of use proposed. Existing use rights for a discretionary use in the Inner Residential Zone therefore remain.
- 6.4 The proposal has been assessed against:
  - 6.4.1 Part D 11 Inner Residential Zone
  - 6.4.2 E2.0 Potentially Contaminated Land Code
  - 6.4.3 E5.0 Road and Railway Assets Code
  - 6.4.4 E6.0 Parking and Access Code
  - 6.4.5 E7.0 Stormwater Management Code
  - 6.4.6 E8.0 Electricity Transmission Infrastructure Protection Code
  - 6.4.7 E13.0 Historic Heritage Code
- The proposal relies on the following performance criteria to comply with the applicable standards:
  - 6.5.1 Inner Residential Zone:-

Zone Use Standards - Part D 11.3.1 Setbacks and Building Envelope – Part D 11.4.2 P1; P3 Frontage Fences - Part D 11.4.7 P1

6.5.2 Road and Railway Assets Code:

Sight Distance at Accesses, Junctions and Level Crossings - Part E

5.6.4 P1

6.5.3 Parking and Access Code:-

Number of Car Parking Spaces - Part E 6.6.1 P1 Design of Vehicular Accesses - Part E 6.7.2 P1

6.5.4 Electricity Transmission Infrastructure Protection Code:-

Development Within the Electricity Transmission Corridor - Part E 8.7.1 P1

6.5.5 Historic Heritage Code:

Heritage Place - Demolition - Part E 13.7.1 P1 Heritage Place - Buildings and Works - Part E 13.7.2 P1, P2, P3, P4.

- 6.6 Each performance criterion is assessed below.
- 6.7 Hours of Operation Part D 11.3.1 P1
  - 6.7.1 The acceptable solution A1 at clause Part D 11.3.1 requires hours of operation to be within 8.00am to 6.00pm, except for office and administrative tasks or visitor accommodation.
  - 6.7.2 The proposal includes use of the gym from 8.30am up until 8.00pm on school days, with weekend use sought for between 9.00am and 8.00pm.
  - 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.7.4 The performance criterion P1 at clause Part D 11.3.1 provides as follows:

Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.

6.7.5 The hours of operation for the proposed gym are stated to be consistent with the hours of operation of the existing WN Oates Centre gym on the site, at least in terms of weekday use which would be reasonably regular and consistent. For weekend use, the current hours of operation are not as clear. It is stated that the existing gym is used on weekends by school and community groups for training and social sport and it is noted that the

external tennis courts do see some weekend use, however this does not appear to be on any formal regular or consistent basis. The proposal notes that it is intended that the intensity and frequency of activities within the proposed hours of operation are not to change from that already currently being undertaken on the site, and as is currently the case, for much of the time during these periods the facility will not be being used.

It is reasonably clear in the submission that the proposed new gym is intended primarily for use by the school and is not aimed at attracting other users, is not an additional facility and will not add a playing court to the facilities offered by the Health and Fitness Centre. Despite this, and as expressed in a number of the objections received against the proposal, there is concern that with an improved facility will come an increased intensity of use, particularly on weekends, and potentially by unrelated organisations seeking use of the updated facility, including by the adjacent Health and Fitness Centre. The applicant has countered this with additional confirmation that the gym is a school facility that will not provide a large playing court facility for the Health and Fitness Centre. The new gym's proximity to the Health and Fitness Centre is such that students can easily move between the facilities as part of their co-curricular program and not the other way around.

Representors have sought to have the gym's hours of operation limited, suggesting up until 6.00pm Mondays to Thursdays and 4.00pm Fridays and weekends.

As noted above, the acceptable solution for non-residential use operating hours is 8.00am to 6.00pm seven days a week.

For uses normally associated with a typical school gymnasium, it would not be expected that unreasonable impacts upon residential amenity in terms of commercial vehicle movements, noise or other emissions such as lightspill would occur. Given the fact that the use and occupation of the gym would neither be constant nor consistent, particularly outside of regular weekday school hours, there would appear to be less of tangible demand for later operating hours. It is considered therefore perhaps less necessary to allow its use beyond the limitations of the acceptable operating hours of the scheme. Allowing its use between these hours would still allow for a reasonable extension beyond usual school hours, and would also mean that the potential for impacts upon nearby residential properties would be reduced.

After having considered the concerns of representors the Applicant has

- confirmed the school's willingness to reduce the gym's hours of operation to those hours deemed acceptable under the use standards for the Inner Residential Zone, being between 8am and 6pm every day of the week.
- 6.7.6 With the inclusion of a condition limiting operating hours as described above, the proposal complies with the performance criterion.
- 6.8 External Lighting Part D 11.3.1 P3
  - 6.8.1 The acceptable solution A3 at clause Part D 11.3.1 requires external lighting must be turned off between 6:00 pm and 8:00 am, except for security lighting, and security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.
  - 6.8.2 External lighting is proposed around the redeveloped WN Oates and the new gym building for safe access. The proposal states that the lights will be controlled contain illumination and glare within the site and will be turned off when not in use. It is noted also that the proposal results in the removal of six light poles from around the existing external tennis courts, with the new gym emitting a lower level of illumination than is currently the case. The proposed external lighting would operate for the proposed operating hours up until 8.00pm on week nights and 6.00pm on weekends.
  - 6.8.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.8.4 The performance criterion P3 at clause Part D 11.3.1 provides as follows:
    - External lighting must not adversely affect existing or future residential amenity, having regard to all of the following:
    - (a) level of illumination and duration of lighting;
    - (b) distance to habitable rooms in an adjacent dwelling.
  - 6.8.5 It is unlikely that the proposed external lighting, being primarily located internally to the site and being controlled in terms of light spill and illumination, would have any unreasonable impact upon any habitable rooms in an adjacent dwelling. The only adjacent dwelling sharing a boundary with the site is 24 Carr Street which has two windows in its south-eastern side. The windows currently look straight onto the existing tennis courts, and would be directly affected by any external lighting of the

tennis court from the current lighting arrangement. The placement of the proposed gym building on the site of the tennis courts adjacent to this dwelling would result in much of the proposed external lighting being blocked by the new building, reducing the level of impact upon the adjacent dwelling. Other dwellings located opposite on Carr Street would be less directly affected by the proposed external lighting. The lighting would not be directed outwards towards them, and if managed appropriately to reduce light spill and limited to the proposed hours of operation would not result in an unreasonable impact. It considered in any case to include a condition to ensure that any external lighting does not cause an environmental nuisance.

- 6.8.6 The proposal complies with the performance criterion.
- 6.9 Setback and Building Envelope Part D 11.4.2 P1\*
  - \* Note that Clause Part D 11.4.9 A1(a) requires non-dwelling development to comply with the abovementioned clause as if it were a dwelling. If non-compliant, the performance criteria P1 at Part D 11.4.9 requires non-dwelling development to comply with the related performance criteria as if it were a dwelling.
  - 6.9.1 The acceptable solution A1 at clause D 11.4.2 requires development to have a minimum frontage setback of 3m.
  - 6.9.2 The proposal includes the new gym building having a frontage setback ranging between 2.67m and 5.76m for the front wall, and 0.57m and 4.61m for the awning projecting from the front wall. Awnings extending no more than 0.6m into the frontage setback can be excluded from consideration.
  - 6.9.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.9.4 The performance criterion P1 at clause D 11.4.2 provides as follows:

The setback of a dwelling from a frontage must:

- (a) be compatible with the relationship of existing buildings to the road in terms of setback or in response to slope or other physical constraints of the site; and
- (b) have regard to streetscape qualities or assist the integration of new development into the streetscape.

6.9.5 The northern front corner of the proposed gymnasium has a frontage setback consistent with that of the adjoining dwelling at 24 Carr Street which has a frontage setback of approximately 2m. From this point the frontage setback increases to a point where the hard front edge of the gymnasium is pushed further back into the site showing a greater degree of consistency with the existing school buildings further to the south-east, on the opposite side of the internal driveway access into the school from Carr Street. The proposed awning increases in size at this corner of the proposed building, but is nevertheless compliant with frontage setback requirements here. The adjacent school building to he south has a frontage setback of approximately 10m.

The frontage setback of school buildings further to the south-east on Carr Street varies, with some buildings built up to the front boundary, with spaces in between where others are located further into the site. Dwellings in the immediate area, on the opposite side of Carr Street present a mix of frontage setbacks such that there is a lack of prevailing character in this regard. Given the proposed gymnasium's consistency with frontage setbacks to either side, being the adjacent dwelling to the north and the school building to the south, the proposal is considered to be compatible in that it provides an effective conduit and transition between the frontage setback distances of the adjoining buildings to either side.

The proposal also includes the provision of landscaping in planter boxes between the front of the gym and the property frontage. Such landscaping, as can be seen in the submitted renders helps to soften the hard front edge of the building and provides a transition to the street edge along with a consistency with green space at the front of existing school buildings also addressing Carr Street.

- 6.9.6 The proposal complies with the performance criterion.
- 6.10 Setback and Building Envelope Part D 11.4.2 P3\*
  - \* Note that Clause Part D 11.4.9 A1(a) requires non-dwelling development to comply with the abovementioned clause as if it were a dwelling. If non-compliant, the performance criteria P1 at Part D 11.4.9 requires non-dwelling development to comply with the related performance criteria as if it were a dwelling.
  - 6.10.1 The acceptable solution A3 at clause D 11.4.2 requires development to fit within the prescribed building envelope as it is influenced by the characteristics of the site, including its topography.

- 6.10.2 The proposal includes elements of the proposed new gym building extending outside of the shape of the envelope, including rising above the maximum acceptable height limit of 9.5m.
- 6.10.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.10.4 The performance criterion P3 at Clause Part D 11.4.2 provides as follows:

The siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:
- (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
- (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
- (iii) overshadowing of an adjoining vacant lot; or
- (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.
- 6.10.5 The recent Tribunal decision of *McCullagh v Glamorgan Spring Bay Council and Ors*, which specifically considered this clause, determined that once a proposal extends outside the acceptable solution building envelope, a detailed assessment of the performance criterion must be carried out, without reference to the acceptable solution. That is, the permitted building envelope does not provide the test of 'reasonableness' against which a discretionary application is assessed. Instead, the development must be assessed on its merits against the provisions of the performance criterion; that is, (a) does the development cause an unreasonable loss of amenity to neighbours by reduction in sunlight to a habitable room (other than a bedroom), overshadowing of private open space, or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot, and (b) does the development provide separation between dwellings on adjoining

lots that is compatible with that prevailing in the vicinity?

The proposed gymnasium lies adjacent to one neighbouring residential property, being the dwelling to the north/northwest at 24 Carr Street. To the rear of this residential property and corresponding with much of the side of the proposed gymnasium is the Friends' Health and Fitness Centre at 435-439 Elizabeth Street.

The proposed gymnasium is partially built to the north-western side boundary of the subject site where it abuts 435-439 Elizabeth Street. In this location the building has a stepped form down to a single level store. This store then introduces a 1.2m setback from the side boundary moving further towards the Carr Street frontage which remains consistent until the store ceases at at setback of approximately 16m from the Carr Street boundary. At this point the main gymnasium has a side setback of 5m from the boundary shared with 24 Carr Street. The 45 degree tangent of the acceptable building envelope cuts through the upper corner of the top of the gymnasium along its north-western elevation, just below the eave height of the building. A greenwall is proposed at ground floor level on this elevation where adjacent to 24 Carr Street. The proposed gymnasium begins to extend above the maximum height of the building envelope moving further to the south-east and towards the interior of the school site where the land continues to slope downwards.

The property at 24 Carr Street has two smaller windows in its corresponding south-eastern side elevation, which would face the gymnasium in its proposed position. These windows currently address the front tennis court of the site (PLATE 1) and their orientation is such that they would not receive direct sunlight. A substantial boundary line hedge screens the rear yard of this property from the subject site, and in turn will continue to screen the proposed gymnasium from view. Shadow diagrams submitted with the application demonstrate that the proposed development will not direct shadow upon this adjacent property. No shadow will be cast to any residential property by the proposed development.



Plate 1: The adjacent properties to the north-west of the site of the proposed Gymnasium, as viewed from the Carr Street frontage of the site.

The proposed gymnasium considers and to some extent protects the outlook of these windows with the increased side setback of this corner of the building. This improves the degree of natural light available to these windows, opens up the oblique angle of outlook to the east towards Carr Street and ensures that the bulk of the building is reasonably separated with its 5m setback opposite the windows. The inclusion of the ground level green wall in this location will also assist in softening the appearance of the building when viewed from the adjacent windows.

The proposal is considered to meet the performance criteria associated with non-compliance with the acceptable building envelope. Due to the orientation of the subject site and its relationship to adjoining lots it will not cause an unreasonable loss of amenity to the dwelling on the adjoining lot either through loss of sunlight or overshadowing relative to that currently experienced; nor will its apparent scale bulk or proportions cause an unreasonable visual impact. The non-compliant element of the building's height would not be discerned from the adjacent residential property given its roof design and the fact this point occurs to the opposite side of the building, within the school site. The setback of the proposed building with its elements of different height and setback relative to the north-western side boundary of the property is well-considered given adjacent land uses and as such is entirely compatible with the prevailing separation

distances in the surrounding area.

- 6.10.6 The proposal complies with the performance criterion.
- 6.11 Frontage Fences Part D 11.4.7 P1\*
  - \* Note that Clause Part D 11.4.9 A1(c) requires non-dwelling development to comply with the abovementioned clause as if it were a dwelling. If non-compliant, the performance criteria P1 at Part D 11.4.9 requires non-dwelling development to comply with the related performance criteria as if it were a dwelling.
  - 6.11.1 The acceptable solution A1 at clause Part D 11.4.7 requires frontage fences within 3m of a frontage to have a height above natural ground level of not more than 1.2m if the fence is solid, or 1.5m provided there is at least 30% transparency in that part above 1.2m.
  - 6.11.2 The proposal includes a steel gate to the north-western side of the proposed gymnasium located between 2.44m and 3.05m from the Carr Street frontage with a height at its outer side of 2.99m and of 3.14m where it abuts the new building. The gate provides separate vehicular and pedestrian access, and consists of vertical steel rods at 60mm centres. This provides a high degree of transparency.
  - 6.11.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.11.4 The performance criterion P1 at clause Part D 11.4.7 provides as follows:
    - A fence (including free-standing walls) within 3m of a frontage must allow for mutual passive surveillance between the road and the dwelling (particularly on primary frontages), and maintain or enhance the streetscape.
  - 6.11.5 The proposed fence is evident in the excerpt of the submitted architectural render in Image 4 below. The fence is to the side of the proposed gymnasium and would not impinge on the primary outlook of the building. The fence is subservient to the gymnasium in its scale and location to the side and is considered to blend rather than contrast. In conjunction with the proposed development the fence would not have a detrimental impact upon the streetscape.



Image 4: Excerpt of the submitted render showing the proposed front fencing (gates).

- 6.11.6 The proposal complies with the performance criterion.
- 6.12 Sight Distance at Accesses, Junctions and Level Crossings Part E 5.6.4 P1
  - 6.12.1 The acceptable solution A1 at clause Part E 5.6.4 requires sight distances at accesses, junctions and level crossings to meet the relevant standards of AS2890.1.
  - 6.12.2 The proposal includes an access outcome where sight distances do not meet the relevant standards.
  - 6.12.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.12.4 The performance criterion P1 at clause Part E 5.6.4 provides as follows:

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:

- (a) the nature and frequency of the traffic generated by the use;
- (b) the frequency of use of the road or rail network;
- (c) any alternative access;

- (d) the need for the access, junction or level crossing;
- (e) any traffic impact assessment;
- (f) any measures to improve or maintain sight distance; and
- (g) any written advice received from the road or rail authority.

### 6.12.5 The Council's Development Engineer states that:

In this case, the required SISD is 80 metres, noting that the vehicle speed has been assumed to be equal to the posted speed limit of 50-km/h.

The available sight distance generally exceeds the required 80 metres in Commercial Road except during times when cars are parked adjacent to the site.

The sight distance to the north of the access to the carpark off Carr Street is approximately 60m therefore not meeting the required distance of 80m and is to be assessed under the performance criteria. The Australian Standard AS/NZS 2890.1:2004 requires a minimum sight distance of 45m for access driveways other than domestic for a frontage road speed of 50km/h. The available sight distance exceeds the requirements of AS/NZS 2890.1:2004 and is therefore acceptable under performance criteria. The sight distance to the south of the access to the car park off Carr Street exceeds the required 80m except during times when cars are parked adjacent to the site.

- From discussion with the applicant, all traffic will be vehicles collecting sports equipment from the school store. This is likely to be low frequency of use.
- Carr Street is a minor collector road that has a relatively low traffic volume near the site except during school pick up and drop off times when it becomes quite busy. The general urban speed limit of 50-km/h applies.
- · No alternative access is possible for the proposed development.
- The need for the use has not been assessed and is this report.
- A Traffic Impact Statement was submitted identifying the acceptability of the available sight distance.
- No measures are proposed to improve sight distances.
   Available sight distance generally considered acceptable and in some cases exceeds the required 80 metres except during times when cars are parked adjacent to the site.
- No written advice was requested by the road authority (Council)

relating to the access.

Council is of the opinion that the Acceptable Solution for clause E5.6.4 is not met due to sight lines being obstructed on-street car parking adjacent to the access and the sight distance to the north of the car park access of Carr Street being less than 80m, however, given the submitted plans and documentation the development may therefore be accepted under Performance Criteria P1:E5.6.4 of the Planning Scheme.

6.12.6 The proposal complies with the performance criterion.

## 6.13 Number of Car Parking Spaces

- 6.13.1 The acceptable solution A1 at clause Part E 6.6.1 requires parking to be provided on site at a rate no more or no less than that specified according to the use of the site. For an Educational and Occasional Care use (Secondary School), the parking requirement is determined at 0.67 spaces for each employee and a pick-up and set down area with 1 space for each 30 students and 1 space for each 10 students aged over 17. The application confirms no students over the age of 17 as such students are accommodated at the School's Argyle Street campus. There are 556 students and 114 FTE staff members. This equates to 76.38 (77) employee spaces and 18.53 (19) pick up/set down spaces for students.
- 6.13.2 There are currently 48 off street parking spaces at the School's Commercial Road campus (the subject site). The proposal includes a reduction of off street parking spaces, with a total of 45 spaces proposed in a revised arrangement. There is an existing arrangement between the school and Hobart City Council for a pick-up/set down facility along the school's Carr Street frontage which accommodates approximately 29 spaces across this 180m frontage. This will remain. The proposal is supported by a Traffic Impact Assessment, which addresses car parking.
- 6.13.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.13.4 The performance criterion P1 at clause Part E 6.6.1 provides as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) car parking demand;
- (b) the availability of on-street and public car parking in the locality;
- (c) the availability and frequency of public transport within a 400m walking distance of the site;
- (d) the availability and likely use of other modes of transport;
- (e) the availability and suitability of alternative arrangements for car parking provision;
- (f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;
- (g) any car parking deficiency or surplus associated with the existing use of the land;
- (h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;
- (i) the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;
- (j) any verified prior payment of a financial contribution in lieu of parking for the land;
- (k) any relevant parking plan for the area adopted by Council;
- (I) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;
- (m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.
- 6.13.5 Of note is the fact that the proposal does not seek to increase the number of students or staff at the campus. The proposal reduces the existing number of off street car parking spaces by three. The Council's Development Engineer states:
  - The parking demand is likely to be less than that specified in Table E6.1 for staff and students due to the close proximity to residential areas and major transport routes along Elizabeth and Argyle Streets, combined with

- the on-street pickup/drop off areas.
- There is a relatively large supply of on-street parking in the surrounding road network. Much of the available parking is in the form of time-restricted parking, with authorised residents excepted. A large amount of pickup/drop off occurs in the surrounding streets with Carr Street the most commonly used. There are a number of streets available for pickup/drop off within two blocks of the development.
- Metro Tasmania operate regular bus services along Argyle and Elizabeth Street which is within 400 metres of the subject site.
- The site is located a convenient walking distance or cycling distance from residential areas.
- No alternative parking provision is available or considered necessary.
- The existing deficiency of parking is increased with the reduction of three spaces.

Based on the above assessment and given the submitted documentation, the parking provision may be accepted under Performance Criteria P1:E6.6.1 of the Planning Scheme. This is particularly due to the actual parking deficiency only increasing by 3x and the fact that the existing pickup/drop off area will become more efficient due to the on-site all weather area being constructed for students to utilise. Hobart City Council in cooperation with The Friends' School have provided a pick up and set down facility along the Carr Street school frontage which accommodates approximately 29 spaces over the Car Street frontage of 180 metres.

Further comment with regard to traffic impacts which can in part be linked to the acceptability of the proposed parking availability on the site have been provided by the Council's Senior Engineer - Roads & Traffic -

I have reviewed the Traffic Impact Assessment provided by the applicant in support of PLN-20-197 at 23 Commercial Road in North Hobart, as well as the representations received on the application.

In summary, from the information provided in the TIA, the

proposal is for:

- The conversion / redevelopment of an existing gymnasium building (the WN Oats Centre) into seven classroom teaching facility;
- The removal of the existing two outdoor tennis courts on the Carr Street frontage of the site, and the construction of a new gymnasium facility;
- Alterations to the existing on-site car parking to make the parking compliant with modern standards, but overall reducing the number of parking spaces from 48 to 45.
- No change to existing driveway accesses to, or roads under City of Hobart management (Carr Street and Commercial Road).

The proposal doesn't contain any detailed information on the expected usage of the site, or the expected parking demand that the site would generate.

Essentially, based on the application, the proposal is in essence providing:

- 7 additional classrooms to better cater for existing students, with no increase in number of students or staff proposed;
- The replacement of the existing gymnasium building and tennis courts with a new gymnasium building, again only to be used by the existing 556 students and 114 full time equivalent staff.

On this basis, there would be no change to existing parking and vehicular movement pattern in and around the site.

It is however noted that the City of Hobart frequently received complaints from residents in Carr Street and Wilson Street about the parking activity generated by students being dropped off and collected from the Friends School, and by evening public visits to the 'Friends Health & Fitness' facility at 7 Wilson Street.

In terms of the matters raised by the representors that relate to parking and traffic matters, I would broadly summarize these as:

- There is currently insufficient parking supply in Carr Street to provide for the drop-off and pick-up of Friend School students before and after school;
- This leads to some parents parking across driveways and in other locations that inconvenience residents in the street and has led to conflict between residents and parents.
- The 'Friends Health & Fitness' Gym creates addition parking demand and activity outside of school hours, and this usage has increased in recent years to the detriment of local residents.
- The Friends School, in the opinion of some representors, does not take responsibility for providing the parking required for their students, staff and visitors.
- The City of Hobart, in the opinion of some representors, is not able to adequately enforce parking restrictions to make the surrounding streets operate satisfactorily.
- The proposed development, if it allows for 100+ users and spectators through to 8pm on 7 days a week, would significantly increase the pressure on parking in the surrounding streets.
- The survey of vehicle movements in Carr Street utilized in the report (from 2016) is too old to be reliable.
- The proposed construction traffic management methodology has not been addresses or planned for.
- Local residents with resident parking permits are currently having difficulty finding on-street parking at times due to the parking demand from the school and the existing 'Friends Health & Fitness' Gym.

In response to these matters, I offer the following comments:

- There is currently insufficient parking supply in Carr Street to provide for the drop-off and pick-up of Friend School students before and after school;
  - The drop-off and pick-up of students is occurring in Carr Street successfully, however parents are also utilizing the areas not intended for drop-off and pick-up activity to wait or to undertake drop-off or pick-up.
- This leads to some parents parking across driveways and in other locations that inconvenience residents in

the street and has led to conflict between residents and parents.

- There have been many complaints from residents in Carr Street about difficulty accessing their driveways or finding vacant parking during drop-off and pick-up times. The City of Hobart has undertaken roadworks in Carr Street to try to improve this situation, but there is limited ability to do more on this matter.
- The 'Friends Health & Fitness' Gym creates additional parking demand and activity outside of school hours, and this usage has increased in recent years to the detriment of local residents.
  - Again, the City of Hobart receives frequent complaint from residents about members of the public utilizing the gym occupying all available onstreet parking spaces in the vicinity of the Wilson Street / Carr Street intersection, to the detriment of local residents and their visitors.
- The Friends School, in the opinion of some representors, does not take responsibility for providing the parking required for their students, staff and visitors.
  - The proposal includes the provision of 43 on-site parking spaces, a reduction in three spaces from the existing arrangement.
  - The proposal does not include the provision of additional on-site parking, despite the construction of the new gymnasium on the existing tennis court site being potentially able to be constructed with ground floor or basement parking facilities to reduce the impact of overflow parking from the site on the community.
- The City of Hobart, in the opinion of some representors, is not able to adequately enforce parking restrictions to make the surrounding streets operate satisfactorily.
  - While the City of Hobart does attempt to make changes to parking controls (time limits and specific use zones) to try to manage demand, because of the heavy demand for drop-off and pickup parking for children, and because of the evening and weekend demand for parking from visitors to the 'Friends Health and Fitness Gym', the level of enforcement to achieve behavioral change is

difficult and unlikely to be able to be provided.

- The proposed development, if it allows for 100+ users and spectators through to 8pm on 7 days a week, would significantly increase the pressure on parking in the surrounding streets.
  - It is apparent that the 'Friends Health and Fitness Gym' has placed increasing pressure on the supply of on-street parking in the streets surrounding the site as it has become used by the general public. If the proposed new Gym facility were to be used by the general public in the same way that the 'Friends Health and Fitness Gym' has, this would be expected to further increase the pressure on surrounding residents and businesses.
- Local residents with resident parking permits are currently having difficulty finding on-street parking at times due to the parking demand from the school and the existing 'Friends Health & Fitness' Gym.
  - It is apparent from prior observations that at certain times of the day / week, the parking supply in the street is at capacity and resident permit holders who returned would be unable to find available parking in close proximity to their property.
- The survey of vehicle movements in Carr Street utilized in the report (from 2016) is too old to be reliable.
  - The quoted survey from 2016 would typically be considered appropriate in providing an indication of the number of vehicular movements on a public street.
- The proposed construction traffic management methodology has not been addresses or planned for.
  - A condition could be added to require this as a permit condition prior to any construction commencing.

In summary, the Friends School and the associated 'Friends Health & Fitness' Gym generate significant parking demand that they do not provide for on their own site. While 48 parking spaces are currently on the site (reducing to 45 as part of the development), these spaces appear to be primarily for use by staff. Staff without access to these parking spaces, parents seeking to drop-off and pick-up students, and visitors to the various facilities are expected to

utilize the on-street parking in the surrounds of the school. When using this on-street parking, they are competing with local residents and other businesses in the area. From the volume of complaint from local residents in recent years, and from observations of the site, it is apparent that this parking overspill from the site into the surrounding area is impacting on local residents.

Any increase in the usage of the site resulting from the proposed development would be expected then to further impact local residents.

If the development is only utilized by existing staff and students, and there is no growth in the number of students and staff as a result of the addition of 7 new classrooms, then the increase in parking demand and traffic generation would be relatively benign (essentially limited to the impact of the removal of three on-site spaces).

The unknown is the potential impact of the new gymnasium, with a larger high quality facility, being utilized outside school hours by the general public and / or sporting teams / community groups etc. This has the potential to increase the impact on local residents in a similar way to that that has occurred with the 'Friends Health and Fitness Gym'.

It is also noted that the development proposal includes the construction of a new building on the site of two existing tennis courts. This is not the retrofitting of an existing building on a constrained site, where the provision of additional parking is not practical. The non-provision of any additional parking would be a decision made in the knowledge that parking impacts of the school on surrounding streets is an issue of concern.

My opinion is that the development is appropriate if it is limited to only use by the current number of staff and students. If it is to provide for additional public use without provision of additional parking, I would be prepared to consider a recommendation of refusal.

Taking into account the conclusions of the Senior Engineer - Roads & Traffic, particularly with regard to intensity of use, it is

considered appropriate to ensure by way of a condition of any forthcoming approval that the use of the development is to be limited to the current number of staff and students and must not provide for any additional public use. The previously mentioned condition limiting hours of operation may also assist in this regard.

- 6.13.6 With the inclusion of a condition as detailed above, the proposal complies with the performance criterion.
- 6.14 Design of Vehicular Accesses Part E 6.7.2 P1
  - 6.14.1 The acceptable solution A1 at clause Part E 6.7.2 requires vehicle access points to be designed in accordance with the requirements of AS2890.1 with regard to location, sight distances, width and gradient.
  - 6.14.2 The proposal includes a vehicle access design not compliant with the relevant standard.
  - 6.14.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.14.4 The performance criterion P1 at clause Part E 6.7.2 provides as follows:

Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following:

- (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;
- (b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;
- (c) suitability for the type and volume of traffic likely to be generated by the use or development;
- (d) ease of accessibility and recognition for users.
- 6.14.5 The Council's Development Engineer states:

Submitted plans indicate 2m x 2.5m sight triangle areas abutting the driveway are not kept clear of obstructions to visibility due to proposed offset from the side boundary fence (with 24 Carr Street). The pedestrian gate is adjacent to the side boundary, and the front fence is offset approximately 2.1m. This means that 1x1m pedestrian sight distance to the north and at least 2x2.5 to the south is proposed. This requires Performance Criteria assessment.

The Council's Development Engineer has deemed the resultant vehicle access design to be feasible in terms of the likelihood of conflict, degree of potential impact, and the usability/suitability of the access as listed in the performance criteria

- 6.14.6 The proposal complies with the performance criterion.
- 6.15 Development within the Electricity Transmission Corridor Part E 8.7.1 P1
  - 6.15.1 The acceptable solution A1 of clause Part E 8.7.1 requires development to not be located with an electricity transmission corridor's Inner Protection Area.
  - 6.15.2 The proposal includes the portion of the proposed new gymnasium closest to Carr Street within an electricity transmission corridor's Inner Protection Area.
  - 6.15.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.15.4 The performance criterion P1 at clause Part E 8.7.1 provides as follows:

Development must be located an appropriate distance from electricity transmission infrastructure, having regard to all of the following:

- (a) the need to ensure operational efficiencies of electricity transmission infrastructure;
- (b) the provision of access and security to existing or future electricity transmission infrastructure;
- (c) safety hazards associated with proximity to existing or future electricity transmission infrastructure;
- (d) the requirements of the electricity transmission entity.
- 6.15.5 The applicant has sought and provided advice from TasNetworks in order to address this matter. TasNetworks state that:

TasNetworks has no objection to the proposal proceeding and makes the following notes.

The plans indicate that the proposed works will not result in the development being any closer to the cable than the adjoining residential properties at 24-30 Carr Street. Given the proximity to the cable, approximately 3.6m from the boundary, prior to any works

commencing please ensure the cable is located and the appropriate Dial Before You Dig searches are completed.

- 6.15.6 The proposal complies with the performance criterion.
- 6.16 Demolition Heritage Place Part E 13.7.1 P1
  - 6.16.1 There is no acceptable solution for demolition, in part or whole, of a heritage listed place.
  - 6.16.2 The proposal includes partial demolition of existing elements within the site to accommodate parts of the proposed development. Notably, the titles making up the site of the proposed new gymnasium are not part of the heritage listing of the school site.
  - 6.16.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.16.4 The performance criterion P1 at clause Part E 13.7.1 provides as follows:

Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied:

- (a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
- (b) there are no prudent and feasible alternatives;
- (c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained:
- (d) significant fabric is documented before demolition.
- 6.16.5 The Council's Senior Cultural Heritage Officer states:

The works are confined to the existing gymnasium constructed in 1984 to convert it to teaching space. It is a utilitarian grey concrete block structure and the proposal will involve the removal of the existing windows and replacement with new windows and the addition of a new external lift from the Commercial Road carpark level to the entry area on the north east of the building. Externally, the

building will be rendered and there are changes to the area to the outdoor space to the north east. The buildings and structures nearby to this proposal that are of heritage value are Hobartville, Pendle Hill, the entrance portico and wall on Commercial Road and there is no work proposed that alters or impacts negatively on the fabric directly or other heritage values. In this respect, the proposed demolition and new works associated with the 1984 gymnasium do not result in the loss of heritage values of the listed place and do not detract from the heritage values of the place. The proposal satisfies E13.7.1 P1 demolition.

- 6.16.6 The proposal complies with the performance criterion.
- 6.17 Buildings and Works Heritage Place Part E 13.7.2 P1, P2, P3, P4
  - 6.17.1 There are no acceptable solutions for development including extensions and alterations upon a listed place.
  - 6.17.2 The proposal includes alterations and extensions, and associated works upon the site which is listed for its heritage significance under the Historic Heritage Code of the Hobart Interim Planning Scheme 2015.
  - 6.17.3 There is no acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.17.4 The performance criteria P1, P2, P3 and P4 at clause E 13.7.2 provide as follows:

Р1

Development must not result in any of the following:

- (a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;
- (b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.

P2

Development must be designed to be subservient and complementary

to the place through characteristics including:

- (a) scale and bulk, materials, built form and fenestration;
- (b) setback from frontage;
- (c) siting with respect to buildings, structures and listed elements;
- (d) using less dominant materials and colours.

Р3

Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.

P4

Extensions to existing buildings must not detract from the historic cultural heritage significance of the place.

## 6.17.5 The Council's Senior Cultural Heritage Officer states:

The works are confined to the existing gymnasium constructed in 1984 to convert it to teaching space. It is a utilitarian grey concrete block structure and the proposal will involve the removal of the existing windows and replacement with new windows and the addition of a new external lift from the Commercial Road carpark level to the entry area on the north east of the building. Externally, the building will be rendered and there are changes to the area to the outdoor space to the north east. The buildings and structures nearby to this proposal that are of heritage value are Hobartville, Pendle Hill, the entrance portico and wall on Commercial Road and there is no work proposed that alters or impacts negatively on the fabric directly or other heritage values. In this respect, the proposed demolition and new works associated with the 1984 gymnasium do not result in the loss of heritage values of the listed place and do not detract from the heritage values of the place. The proposal satisfies E13.7.2 P1, P2, P3, P4 new work.

The other works are for a new gymnasium on the existing tennis courts. This part of the proposal is outside the heritage listed site.

With regard to the representors' concerns regarding the heritage impact of the proposal, the Senior Cultural Heritage Officer states:

...the proposal is not within a Heritage Precinct. The North Hobart 2 Heritage Precinct is immediately adjacent to the tennis courts in which there are four houses facing Carr Street. There are no provisions within the Historic Heritage Code of the Scheme that apply to the assessment of development adjacent to a heritage precinct and therefore, the heritage concerns raised in the representations cannot be considered. The artists streetscape view show the new gymnasium in Carr Street adjacent to the single storey dwellings in the Precinct and the existing North Block and show a building scaled to sit within a streetscape.

- 6.17.6 The proposal complies with the performance criterion.
- 6.18 Signs Code Use of Signs Part E 17.6.1 P1
  - 6.18.1 The acceptable solution A1 at clause E 17.6.1 requires that signs are a permitted sign type within the applicable zone.
  - 6.18.2 The proposal includes two wall signs. A wall sign is a discretionary sign type in the Inner Residential Zone.
  - 6.18.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.18.4 The performance criterion P1 at clause E 17.6.1 provides as follows:
    - A sign must be a discretionary sign in Table E.17.3.
  - 6.18.5 Wall signs are classified as discretionary in the Inner Residential Zone.
  - 6.18.6 The proposal complies with the performance criterion.
- 6.19 Signs Code Standards Part E 17.7.1 P1 and P2
  - 6.19.1 The acceptable solutions A1 and A2 at clause E 17.7.1 require that signs comply with the standards listed in Table E 17.2 and be a permitted sign in Table E17.3. There must also be a maximum of 1 of each sign type per business per frontage.
  - 6.19.2 The proposal includes two wall signs which are a discretionary sign type in the zone. Both signs exceed the acceptable 2m² area for such signs (3.5m² and 7.3m²).

- 6.19.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
- 6.19.4 The performance criteria P1 and P2 at clause E 17.7.1 provide as follows:

P1

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;
- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;
- (d) not result in loss of amenity to neighbouring properties;
- (e) not involve the repetition of messages or information on the same street frontage;
- (f) not contribute to or exacerbate visual clutter;
- (g) not cause a safety hazard.

P2

The number of signs per business per street frontage must:

- (a) minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;
- (b) reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;(c) not involve the repetition of messages or information.
- 6.19.5 The two signs proposed are shown as 'zones' on the upper part of the gym's Carr Street facade. These 'zones' are shown as rectangles on the elevation plan which measure to the areas specified above. It is unlikely that the two signs will cover the entirety of these areas as it is proposed that they will match the form existing signage throughout the school campus, being the school logo and building name in simple form,

attached directly to the building with a maximum projection of 100mm. Numerous examples of the form and style of existing signs throughout the campus have been included in the submitted documentation. The signage is not proposed to be illuminated. It is considered that two signs of the scale and form proposed, in the location proposed are appropriate for the scale and use of the proposed gym building. Such signs will appropriately integrate with the building and will not dominate its appearance in the streetscape. The proposed signage materials will be able to be satisfactorily maintained long term. The proposed signage will not adversely impact neighbouring properties, will not involve repetition of messages or information on the same street frontage, will not contribute to visual clutter or cause a safety hazard.

6.19.6 The proposal complies with the performance criterion.

#### 7. Discussion

- 7.1 Planning approval is sought for Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works, at 23 Commercial Road New Town.
- 7.2 The application was advertised and received eight (8) representations. The representations raised concerns including the development's impact upon the character and amenity of the surrounding residential area; concerns regarding an intensification/change of use of the site; traffic/parking concerns; a lack of consistency across submitted documents; a lack of communication from the school to the local community; a a lack of detail of the construction process. There was some support expressed for the school to continue to develop the site.

The most critical concern arising from the representors is the perception that the proposal represents an intensification/change of the use of the site from simply that of a school, and with this the impacts that the operation of a new sporting facility will have on the local residential area that is already experiencing difficulties with regard to traffic and parking. Whilst there may be some conflicting details across the submitted documentation in the application, it has been made clear by the applicant that the school is not attempting to increase its size in terms of its number of students, and nor is it trying to offer a facility for use beyond that typically associated with a school, and beyond that which the current facility provides for.

The proposal is for a new and improved facility, with the current facility being adapted to provide improved educational facilities for the school at its current scale. The new gymnasium is not an additional facility. It will be the school's only

facility of this type on the site. Representations focus on the 100 spectator capacity of the proposed new gym, seemingly without consideration of the fact that the current gym likely also accommodates spectators, and at times spectators can also potentially be students and staff. Spectators may also be considered to be those students and staff accommodated within the building for school gatherings and non-sporting uses, for which the current W N Oates Centre has been used and such uses will continue to occur within the new gymnasium. The failing of the application in this respect is perhaps not providing equivalent spectator information for the current gym, however the reference to the number of spectators has been drawn from the submitted noise report, which is based on the potential for 'up to 100 spectators' in the gym. There is nothing to suggest that this represents a significant departure from the use of the current gym, and in terms of the noise report, appears to have simply been used as a yardstick for measuring potential noise impacts generated by a facility of the size proposed. There appears to be no intent shown in the proposal for the facility to routinely attract 100 spectators to the site.

The Council's Senior Engineer - Roads & Traffic has thoroughly considered the proposal and its potential impacts upon traffic and parking issues currently experienced around the site, and has taken into account the concerns raised by representors. There is clearly an issue in the area currently, and it is understandable that local residents would have such concerns. Council's Senior Engineer - Roads & Traffic has provided a very balanced view of the proposal which can be summarised as:

- Any increased use of the site will further impact local residents.
- If used only by staff and students, and there is no growth in student numbers, the increase in parking and traffic generation would be acceptable.
- Wider use of the new facility by outside organisations has the potential to impact local residents similarly to the impact of the adjacent Health and Fitness Centre.
- In developing what is essentially a vacant space, and not adapting an existing building, the decision not to include additional parking from the proposal is a conscious one made in the knowledge that the school is already contributing to the parking impacts in surrounding streets.
- The development is appropriate it is it limited to use only by the current number of staff and students. If it were to provide for additional public use without provision of additional parking then refusal may be warranted.

In light of the above, it is considered that given the intention that the development provides a replacement facility for the school at its current size, and that its use would be at the intensity of the current facility, then conditions to limit who can use the gymnasium and its hours of use would be appropriate both to provide clarity and to ensure its impacts are appropriately limited. Such limitations should to some extent help to address the concerns of the representors.

- 7.3 Aside from the matters detailed above, the proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.4 The proposal has been assessed by other Council officers, including the Council's Development, Road and Environmental Engineers, Senior Traffic Engineer, Cultural Heritage Officer, Environmental Health Officer, Environmental Development Planner and Surveying Services Officer. The officers have raised no objection to the proposal, subject to conditions.
- 7.5 The proposal is recommended for approval.

## 8. Conclusion

8.1 The proposed Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works (Re-Advertised - Administrative Correction) at 23 Commercial Road, NORTH HOBART satisfies the relevant provisions of the Hobart Interim Planning Scheme 2015, and as such is recommended for approval.

#### 9. Recommendations

That:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works (Re-Advertised - Administrative Correction) at 23 Commercial Road, NORTH HOBART for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

#### **GEN**

The use and/or development must be substantially in accordance with the documents and drawings that comprise PLN-20-197 - 23 COMMERCIAL ROAD NORTH HOBART TAS 7000 - Final Planning Documents except where modified below.

Reason for condition

To clarify the scope of the permit.

#### TW

The use and/or development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2020/00416-HCC dated 28/04/2020 as attached to the permit.

Reason for condition

To clarify the scope of the permit.

## THC

The use and/or development must comply with the requirements of the Tasmanian Heritage Council as detailed in the Notice of Heritage Decision, THC Works Ref: 6225 dated 12 June 2020, as attached to the permit.

Reason for condition

To clarify the scope of the permit.

## **PLN 14**

The noise generated by the use of the gymnasium must not cause environmental harm.

Reason for the condition

To ensure noise emissions do not cause environmental harm and do not have an unreasonable impact on residential amenity.

## **PLN 17**

All external lighting and security lighting installed as part of the development must operate in accordance with Australian Standard AS4282 - Control of the obtrusive effects of outdoor lighting.

Reason for condition

To ensure that the non-residential use does not unreasonably impact residential amenity.

## PLN 6

The gymnasium must not be used outside of the following hours:

• 8.00am to 6.00pm, Seven days a week.

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

## PLN s1

The gymnasium is approved for use as part of the operation of the school within the overall site. It must not be used for any other use, or by any other organisation not associated with the operation of the school as an educational establishment.

Reason for condition

To ensure the site operates within the confines of its existing approved use right and to ensure that non-residential use does not unreasonably impact upon residential amenity.

#### ENG sw1

All stormwater from the proposed development (including but not limited to: roofed areas, ag drains, retaining wall ag drains and impervious surfaces such as driveways and paved areas) must be drained to the Council's stormwater infrastructure prior to first occupation or commencement of use (whichever occurs first).

Advice: Under section 23 of the Urban Drainage Act 2013 it is an offence for a property owner to direct stormwater onto a neighbouring property.

Reason for condition

To ensure that stormwater from the site will be discharged to a suitable Council approved outlet.

#### ENG sw8

Stormwater discharges from the development site for each stormwater connection must be limited to the existing flow rate for a 5% Average Exceedence Probability storm event regardless of duration.

Advice: Stormwater detention may be required for the proposed gymnasium if consolidation of existing stormwater connections is proposed. It is recommended that a thorough assessment of all existing stormwater connections is undertaken prior to detailed design of the stormwater system.

Reason for condition

To ensure that the stormwater runoff quantity is managed to take into account the limited receiving capacity of the downstream Council stormwater infrastructure.

### ENG tr2

A construction traffic and parking management plan must be implemented prior to the commencement of work on the site (including demolition).

The construction traffic (including cars, public transport vehicles, service vehicles, pedestrians and cyclists) and parking management plan must be submitted and approved, prior to commencement work (including demolition). The construction traffic and parking management plan must:

1. Be prepared by a suitably qualified person.

- Develop a communications plan to advise the wider community of the traffic and parking impacts during construction.
- 3. Include a start date and finish dates of various stages of works.
- Include times that trucks and other traffic associated with the works will be allowed to operate.
- Nominate a superintendant, or the like, to advise the Council of the progress of works in relation to the traffic and parking management with regular meetings during the works.

All work required by this condition must be undertaken in accordance with the approved construction traffic and parking management plan.

Advice: Once the construction traffic and parking management plan has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

#### Reason for condition

To ensure the safety of vehicles entering and leaving the development and the safety and access around the development site for the general public and adjacent businesses.

## ENG 3a

The circulation roadways, ramps and parking module (parking spaces, aisles and manoeuvring area) must be designed and constructed in accordance with Australian Standard AS/NZS2890.1:2004 (including the requirement for vehicle safety barriers where required).

## Reason for condition

To ensure the safety of users of the access and parking module, and compliance with the relevant Australian Standard.

## ENG 4

The access driveway and parking module (car parking spaces, aisles and manoeuvring area) approved by this permit must be constructed to a sealed

standard (spray seal, asphalt, concrete, pavers or equivalent Council approved) and surface drained to the Council's stormwater infrastructure prior to the commencement of use.

Reason for condition

To ensure the safety of users of the access driveway and parking module, and that it does not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.

#### ENG 5

The number of car parking spaces approved gaining access from the existing Carr Street vehicle access is twelve (12).

All parking spaces must be delineated by means of white or yellow lines 80mm to 100mm wide, or white or yellow pavement markers in accordance with Australian Standards AS/NZS 2890.1 2004, prior to commencement of use.

Reason for condition

To ensure the provision of parking for the use is safe and efficient.

#### ENG 9

All car parking spaces for people with disabilities must be delineated to Australian/NZS Standard, Parking facilities Part 6: Off-street parking for people with disabilities AS/NZS 2890.6: 2009, prior to the commencement of the use.

Reason for condition

In the interests of vehicle user safety and the amenity of the development.

### **ENG 11**

Prior to the commencement of the use, the proposed crossover to the Carr Street highway reservation (adjacent to 24 Carr Street) and the reinstatement of the kerb and footpath at the proposed abandoned Carr Street crossover must be designed and constructed in general accordance with:

LGAT Standard Drawing - Urban - TSD-R09-v1 – Urban Roads
 Driveways, TSD R14-v1 Type KC vehicular crossing and TSD R11-v1
 Urban Roads Footpaths, or

- LGAT Standard Drawing Commercial Urban- TSD-R09-v1 Urban Roads Driveways and TSD R16-v1 Type KCR & B1 or Type KCRB & B1, or
- 3. a Council City Infrastructure Division approved alternate design.

#### Advice:

- Local Government Association (LGAT) Tasmanian Standard Drawings (TSD)
  can be viewed electronically via the LGAT Website.
- Please note that your proposal does not include adjustment of footpath levels.
   Any adjustment to footpath levels necessary to suit the design of proposed floor, parking module or driveway levels will require separate agreement from Council's Road Services Engineer and may require further planning approvals. It is advised to place a note to this affect on construction drawings for the site and/or other relevant engineering drawings to ensure that contractors are made aware of this requirement.
- Please contact Council City Infrastructure Division to discuss approval of alternate designs. Based on a site specific assessment, Council City Infrastructure Division Road Engineer may permit non-standard crossovers.
- You are likely to require a Permit to Open Up and Temporarily Occupy a Highway (for work within the highway reservation). Click here for more information.

### Reason for condition

In the interests of vehicle user safety and the amenity of the development.

## ENG<sub>1</sub>

Any damage to council infrastructure resulting from the implementation of this permit, must, at the discretion of the Council:

- Be met by the owner by way of reimbursement (cost of repair and reinstatement to be paid by the owner to the Council); or
- 2. Be repaired and reinstated by the owner to the satisfaction of the Council.

A photographic record of the Council's infrastructure adjacent to the subject site must be provided to the Council prior to any commencement of works.

A photographic record of the Council's infrastructure (e.g. existing property service connection points, roads, buildings, stormwater, footpaths, driveway crossovers and nature strips, including if any, pre-existing damage) will be relied upon to establish the extent of damage caused to the Council's

infrastructure during construction. In the event that the owner/developer fails to provide to the Council a photographic record of the Council's infrastructure, then any damage to the Council's infrastructure found on completion of works will be deemed to be the responsibility of the owner.

### Reason for condition

To ensure that any of the Council's infrastructure and/or site-related service connections affected by the proposal will be altered and/or reinstated at the owner's full cost.

#### **ENG 13**

The proposed new vehicular access adjacent to 24 Carr Street must allow adequate sight distance between user vehicles, cyclists and pedestrians.

Adequate sight distance between user vehicles, cyclists and pedestrians may be achieved by one of the following methods:

- Compliance with Australian/NZ Standard, Parking facilities Part 1: Offstreet car parking AS/NZS 2890.1: 2004 Fig 3.3;
- Pedestrian gate width of 1m which will ensure 1x1m sight triangles between the access and 24 Carr Street side boundary fence.

#### Reason for condition

To ensure the safety of vehicles entering and leaving the development and of pedestrians and traffic in the vicinity.

## ENV<sub>2</sub>

Sediment and erosion control measures, in accordance with an approved soil and water management plan (SWMP), must be installed prior to the commencement of work and maintained until such time as all disturbed areas have been stabilised and/or restored or sealed to the Council's satisfaction.

A SWMP must be submitted prior to the issue of any approval under the *Building Act 2016* or the commencement of work, whichever occurs first. The SWMP must be prepared in accordance with the Soil and Water Management on Building and Construction Sites fact sheets (Derwent Estuary Program, 2008), available here.

All work required by this condition must be undertaken in accordance with the

### approved SWMP.

Advice: Once the SWMP has been approved, the Council will issue a condition endorsement (see general advice on how to obtain condition endorsement).

Where building approval is also required, it is recommended that documentation for condition endorsement be submitted well before submitting documentation for building approval. Failure to address condition endorsement requirements prior to submitting for building approval may result in unexpected delays.

#### Reason for condition

To avoid the pollution and sedimentation of roads, drains and natural watercourses that could be caused by erosion and runoff from the development.

#### SUB s1

The titles comprising the development site (CT 130044/1, CT 130045/1, CT 112673/16, CT 112683/1 and CT 53529/1) are to be adhered in accordance with the provisions of Section 110 of the Local Government (Building and Miscellaneous Provisions) Act 1993, to the satisfaction of the Council prior to the issue of any building consent, building permit (including demolition) and / or plumbing permit pursuant to the Building Act 2016 (if applicable), or the commencement of works on site (whichever occurs first).

Advice: The application for an adhesion order to the Council has a fee of \$230. Evidence will be required that the owners and mortgagees do not object to the adhesion and the condition is considered completed when a copy of the engrossed receipt of the Land Titles Office lodgement slip for the adhesion order has been received by the Council.

### Reason for condition

To ensure compliance with statutory provisions.

## ADVICE

The following advice is provided to you to assist in the implementation of the planning permit that has been issued subject to the conditions above. The advice is not exhaustive and you must inform yourself of any other legislation, by-laws, regulations, codes or standards that will apply to your development under which you may need to obtain an approval. Visit the Council's website for further information.

Prior to any commencement of work on the site or commencement of use the following additional permits/approval may be required from the Hobart City Council.

#### CONDITION ENDORSEMENT ENGINEERING

All engineering drawings required to be submitted and approved by this planning permit must be submitted to the City of Hobart as a CEP (Condition Endorsement) via the City's Online Service Development Portal. When lodging a CEP, please reference the PLN number of the associated Planning Application. Each CEP must also include an estimation of the cost of works shown on the submitted engineering drawings. Once that estimation has been confirmed by the City's Engineer, the following fees are payable for each CEP submitted and must be paid prior to the City of Hobart commencing assessment of the engineering drawings in each CEP:

## Value of Building Works Approved by Planning Permit Fee:

- Up to \$20,000: \$150 per application.
- Over \$20,000: 2% of the value of the works as assessed by the City's Engineer per assessment.

These fees are additional to building and plumbing fees charged under the Building and Plumbing Regulations.

Once the CEP is lodged via the Online Service Development Portal, if the value of building works approved by your planning permit is over \$20,000, please contact the City's Development Engineer on 6238 2715 to confirm the estimation of the cost of works shown on the submitted engineering drawings has been accepted.

Once confirmed, pleased call one of the City's Customer Service Officers on 6238 2190 to make payment, quoting the reference number (ie. CEP number) of the Condition Endorsement you have lodged. Once payment is made, your engineering drawings will be assessed.

### **BUILDING PERMIT**

You may need building approval in accordance with the *Building Act 2016*. Click here for more information.

This is a Discretionary Planning Permit issued in accordance with section 57 of the Land Use Planning and Approvals Act 1993.

### PLUMBING PERMIT

You may need plumbing approval in accordance with the Building Act 2016, Building

Regulations 2016 and the National Construction Code. Click here for more information.

## OCCUPATION OF THE PUBLIC HIGHWAY

As you propose a new access and reinstatement of abandoned access you will require a Permit to Open Up and Temporarily Occupy a Highway (for work in the road reserve). Click here for more information.

## STORM WATER

Please note that in addition to a building and/or plumbing permit, development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

# WORK WITHIN THE HIGHWAY RESERVATION

Please note development must be in accordance with the Hobart City Council's Infrastructure By law. Click here for more information.

## DRIVEWAY SURFACING OVER HIGHWAY RESERVATION

If a coloured or textured surface is used for the driveway access within the Highway Reservation, the Council or other service provider will not match this on any reinstatement of the driveway access within the Highway Reservation required in the future.

#### REDUNDANT CROSSOVERS

Redundant crossovers are required to be reinstated under the Hobart City Council's Infrastructure By law. Click here for more information.

## **ACCESS**

Designed in accordance with LGAT- IPWEA – Tasmanian standard drawings. Click here for more information.

## **CROSS OVER CONSTRUCTION**

The construction of the crossover can be undertaken by the Council or by a private contractor, subject to Council approval of the design. Click here for more information.

## **TITLE ADHESION**

An adhesion of your titles is required because a portion of your development is across one or more title boundaries. Contact your solicitor or a registered land surveyor to initiate the process.

### WEED CONTROL

Effective measures are detailed in the Tasmanian Washdown Guidelines for Weed and Disease Control: Machinery, Vehicles and Equipment (Edition 1, 2004). The guidelines can be obtained from the Department of Primary Industries, Parks, Water and Environment website.

## **WASTE DISPOSAL**

It is recommended that the developer liaise with the Council's Cleansing and Solid Waste Unit regarding reducing, reusing and recycling materials associated with demolition on the site to minimise solid waste being directed to landfill.

Further information regarding waste disposal can also be found on the Council's website.

#### **FEES AND CHARGES**

Click here for information on the Council's fees and charges.

## **DIAL BEFORE YOU DIG**

Click here for dial before you dig information.



(Cameron Sherriff)

## **Development Appraisal Planner**

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

(Ben Ikin)

## **Senior Statutory Planner**

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 2 September 2020

# Attachment(s):

Attachment B - CPC Agenda Documents

Attachment C - Planning Referral Officer Cultural Heritage Report



Tasmanian Heritage Council GPO Box 618 Hobart Tasmania 7000 Tel: 1300 850 332 enquiries@heritage.tas.gov.au www.heritage.tas.gov.au

 PLANNING REF:
 PLN-20-197

 THC WORKS REF:
 6225

 REGISTERED PLACE NO:
 2810

 FILE NO:
 06-25-75THC

 APPLICANT:
 The Friends School

 DATE:
 12 June 2020

## **NOTICE OF HERITAGE DECISION**

(Historic Cultural Heritage Act 1995)

The Place: Friends' School Commercial Road Campus, 23 Commercial Road, North Hobart.

Proposed Works: Partial demolition, additions and alterations.

Under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*, the Heritage Council gives notice that it consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-20-197, advertised on 29/05/2020.

Please ensure the details of this notice are included in any permit issued and forward a copy of the permit or decision of refusal to the Heritage Council for our records.

Should you require clarification of any matters contained in this notice, please contact Russell Dobie on I 300 850 332.

lan Boersma

Works Manager - Heritage Tasmania Under delegation of the Tasmanian Heritage Council



# **Submission to Planning Authority Notice**

	D1111331011 C	oa	5 / 14 - 11 - 0	,	
Council Planning Permit No.	PLN-20-197			Council notice date	31/03/2020
TasWater details					
TasWater Reference No.	TWDA 2020/0041	6-НСС		Date of response	28/04/2020
TasWater Contact	Sam Bryant		Phone No.	(03) 6237 8642	
Response issued	to				
Council name	HOBART CITY COU	INCIL			
Contact details	coh@hobartcity.com.au				
Development de	tails				
Address	23 COMMERCIAL RD, NORTH HOBART Property ID (PID) 5492470		5492470		
Description of development		artial Demolition, Alterations, Extension, New Building for Educational and Occasiona are (Gymnasium), Signage and Associated Works		l and Occasional	
Schedule of draw	ings/documents				
Prepa	ared by	Drawing/doo	cument No.	Revision No.	Date of Issue
Gandy & Roberts Engineers	Consulting	Gymnasium Gro	und Level H10	2 C	20/04/2020
Bence & Mulcahy	Architects	Sheets EX100, A1 A204 & A205	100, A101,		19/12/2019
Bence & Mulcahy	Architects	Sheets A207 & A	208		20/03/2020

#### Conditions

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:

# CONNECTIONS, METERING & BACKFLOW

- A suitably sized water supply with metered connections / sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
- Any removal/supply and installation of water meters and/or the removal of redundant and/or
  installation of new and modified property service connections must be carried out by TasWater at
  the developer's cost.
- Prior to commencing construction of the development, any water connection utilised for construction must have a backflow prevention device and water meter installed, to the satisfaction of TasWater

# 56W CONSENT

4. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development (the Store attached to the new Gymnasium), which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of



TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. These plans must also include a cross sectional view through the footings which clearly shows;

- a. Existing pipe depth and proposed finished surface levels over the pipe;
- The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- c. A note on the plan indicating how the pipe location and depth were ascertained.

#### BOUNDARY TRAP AREA

5. The proposed development is within a boundary trap area and the developer must provide a boundary trap that prevents noxious gases or persistent odours back venting into the property's sanitary drain. The boundary trap must be contained within the property boundaries and the property owner remains responsible for the ownership, operation and maintenance of the boundary trap.

#### **DEVELOPMENT ASSESSMENT FEES**

The applicant or landowner as the case may be, must pay a development assessment fee of \$351,28
to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date
paid to TasWater.

The payment is required by the due date as noted on the statement when issued by TasWater.

#### Advice

#### General

For information on TasWater development standards, please visit

 $\underline{https://www.taswater.com.au/Development/Technical-Standards}$ 

For application forms please visit http://www.taswater.com.au/Development/Forms

### Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. A copy of the GIS is included in email with this notice and should aid in updating of the documentation.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.
   Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <a href="www.taswater.com.au/Development/Service-location">www.taswater.com.au/Development/Service-location</a> for a list of companies
- TasWater will locate residential water stop taps free of charge

The location of this infrastructure as shown on the GIS is indicative only.

 Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

# Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

# Authorised by

Issue Date: August 2015

Page 2 of 3 Version No: 0.1

Uncontrolled when printed



Jason Taylor Development Assessment Manager

TasWater Co	ntact Details		
Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		



31st August 2020

Mr Ben Ikin Senior Statutory Planner Hobart City Council GPO Box 503 HOBART TAS 7001

Re: Request For Additional Information PLN- 20-197

Dear Ben,

In response to the request for additional information received via email from Cameron Sherriff dated 6th July in relation to the Tas Networks approval for the proposed new development at The Friends' School campus at 23 Commercial Road (PLN- 20-197) we offer the following:

**Drawings**Attached is a copy of the drawings provided to Tas Networks in relation to the proposed development referenced in their email.

**Email Correspondence from Tas Networks**Attached is a copy of email received from Tas Networks approving the proposed development within the Inner Protection Area on Carr Street

We trust that this additional information addresses all remaining queries regarding this issue. Please do not hesitate to contact us if there are any further queries.

Yours sincerely.

Shamus Mulcahy

Shamus 0409 741 864 Sophie 0410 980 180

Level 1, 42 Newdegate Street info@bencemulcahy.com.au ABN 36 791 955 450 North Hobart, Tasmania bencemulcahy.com.au

From: Odin Kelly <Odin.Kelly@tasnetworks.com.au> Subject: RE: PLN-20-197 23 Commercial Road Planning Application Validity

Matter

Date: 27 July 2020 at 3:28:59 pm AEST

To: 'Shamus Mulcahy' <shamus@bencemulcahy.com.au> Cc: Richard Apted <rapted@friends.tas.edu.au>, Simon Little <simon.little@covathinking.com>

# Hi Shamus

Thank you for your email and updating the plans to identify the Inner Protection Area and the Electricity Transmission Corridor from the Electricity Transmission Infrastructure Protection Code. TasNetworks has no objection to the proposal proceeding and makes the following notes.

The plans indicate that the proposed works will not result in the development being any closer to the cable than the adjoining residential properties at 24-30 Carr Street. Given the proximity to the cable, approximately 3.6m from the boundary, prior to any works commencing please ensure the cable is located and the appropriate Dial Before You Dig searches are completed.

If you require any further information please don't hesitate to contact me directly.

In the future if you have any queries regarding the Electricity Transmission Infrastructure Protection Code please email them directly LandUsePlanning@tasnetworks.com.au

Cheers



Odin Kelly Consultant Planner Strategic Asset Management
P: 0402 627 369 E odin.kelly@tasnetworks.com.au

Monday & Wednesday

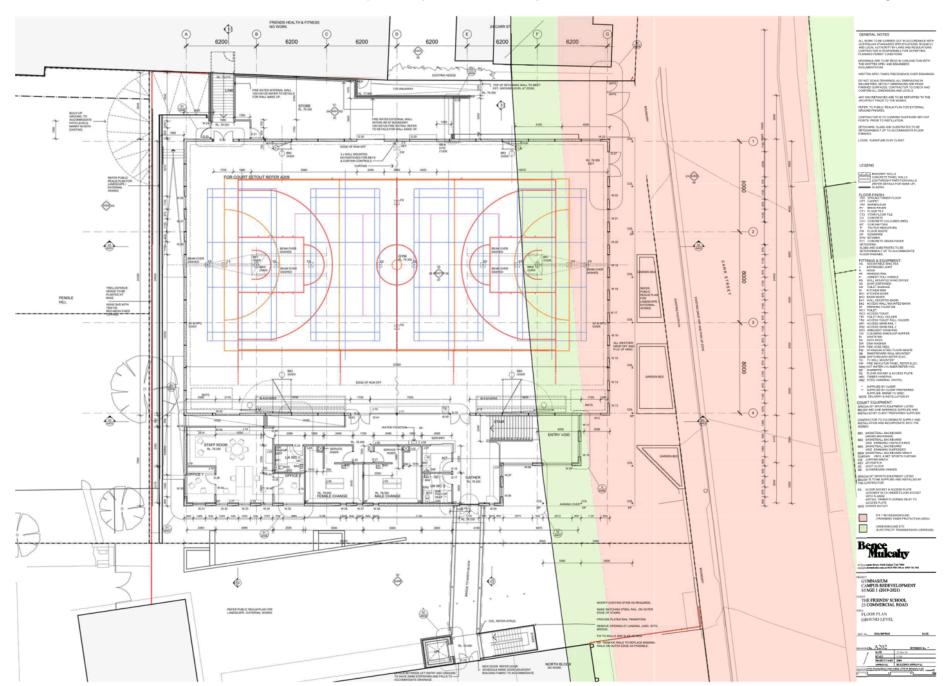
1 - 7 Maria Street, Lenah Valley 7008 PO Box 606, Moonah TAS 7009

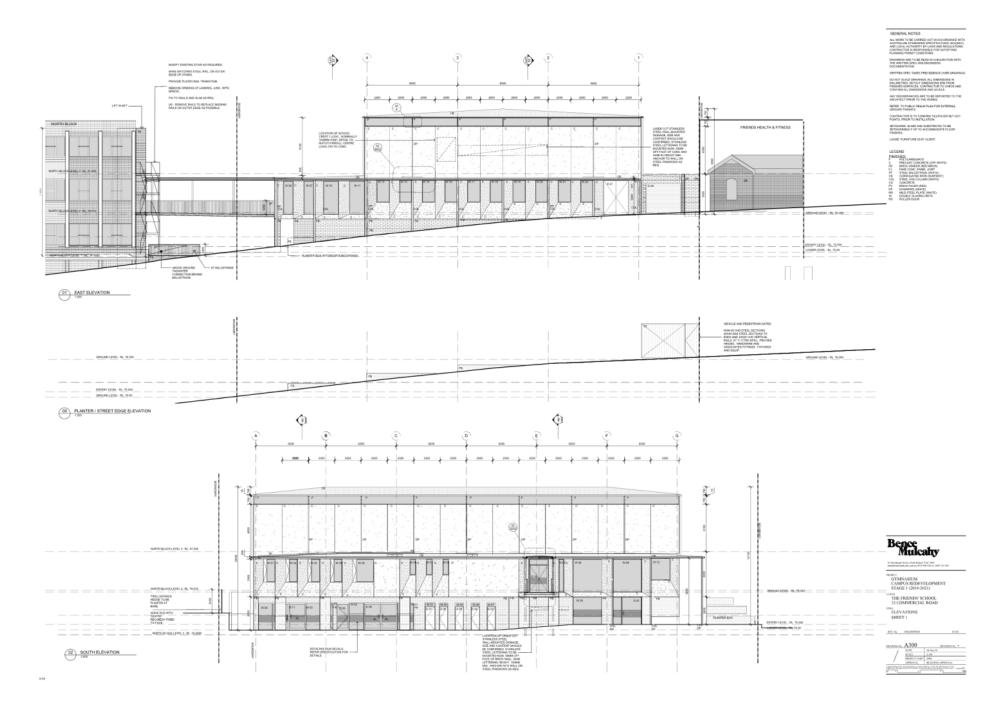
www.tasnetworks.com.au
@TasNetworks

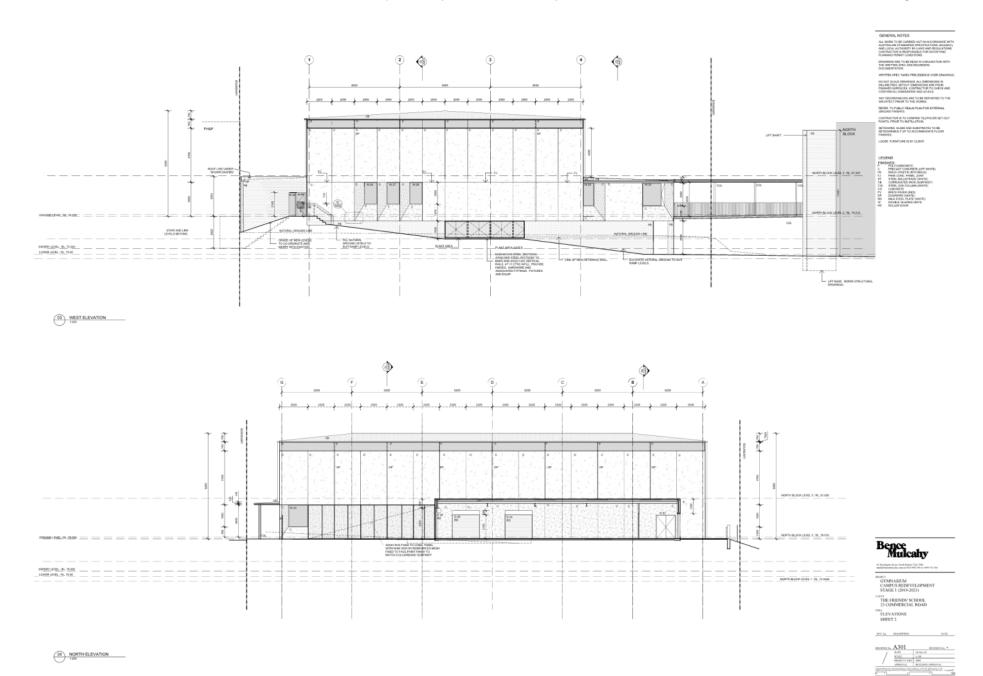
1/TasNetworks

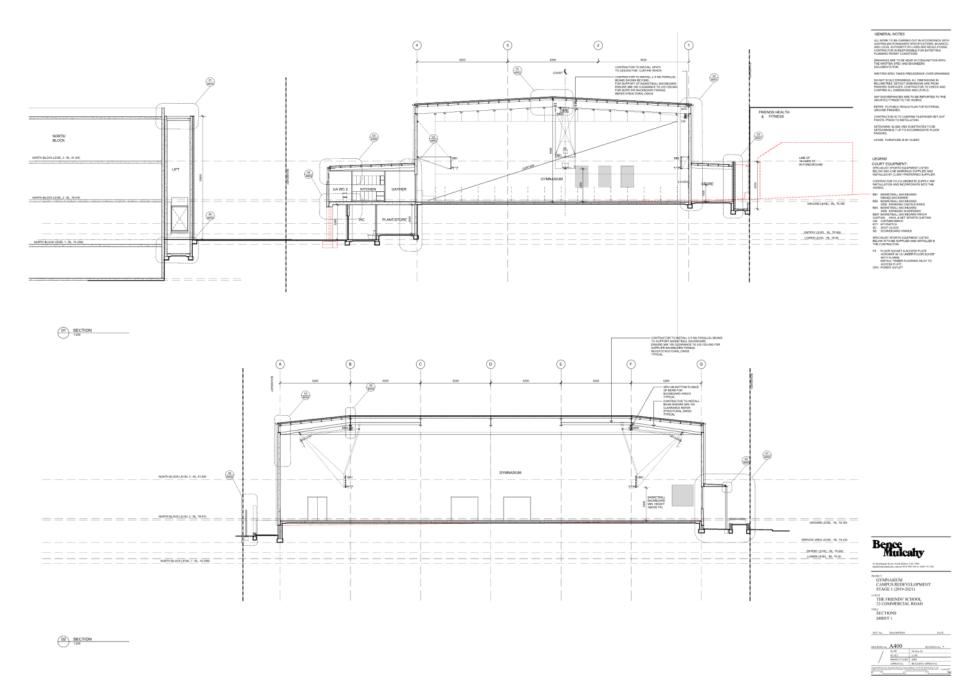




















8th August 2020

Cameron Sherriff Development Appraisal Planner Hobart City Council GPO Box 503 HOBART TAS 7001

## Re: Request For Additional Information PLN- 20-197

# Dear Cameron,

In response to the issues raised in relation to the proposed new development at The Friends' School campus at 23 Commercial Road (PLN- 20-197) we offer the following additional information. This information has been provided to us directly by the school. We note that many of these issues have already been addressed in detail as part of the submission information, however for clarity we have summarised them below:

There is no plan for increased/intensified use of the site.

As stated in the Development Application (under 'Design Statement', Summary section); 'In providing these new facilities the School seeks not to change the way it currently operates nor the numbers of students that it currently caters for. The new facilities will provide additional space and amenities to relieve the school's timetable, generate flexibility within the existing buildings (creating opportunities for other currently constructed teaching spaces to expand) and provide contemporary facilities for teaching and physical education.' facilities for teaching and physical education.'

# The gym will be used as a school facility not as part of the Health and Fitness Centre.

The proposed new Sports Gym is located next to Friends Health and Fitness so that students can travel freely between these school facilities as part of their co-curricular program. The School would continue to solely manage the use of the new Sports Gym, as it currently does for the current Gym.

# Weekend use of the gym will be be limited.

The School is open to reducing the hours of operation to between 8am to 6pm for the new gym, which is within the acceptable solution for non-residential use in the Inner Residential Zone under the Hobart Interim Planning Scheme 2015.

#### 9 new classrooms does not mean an increase in students.

As stated in the Development Application (under 'Design Statement', Summary section); 'In providing these new facilities the School seeks not to change the way it currently operates nor the numbers of students that it currently caters for. The new facilities will provide additional space and amenities to relieve the school's timetable, generate flexibility within the existing buildings (creating opportunities for other currently constructed teaching spaces to expand) and provide contemporary facilities for teaching and physical education.'

# The school has an ongoing commitment to improving parking/traffic/safety in the local area for the sake of its students, visitors, staff and the public.

As per the independent Traffic Impact Assessment Report / Car Parking Layout Report (Page 6), as part of the Development Application, 'There will be no changes to the staff and student numbers arising from this development. The proposed wellopment will per possed are development will just provide an improved facility for the existing students and staff at The Friends' School.' With regard to parking, there are currently 15 non-compliant parking spaces next to the proposed Sports Gym. The proposed development will provide safe and compliant parking spaces, which will also support improved pedestrian and road safety.

The 'Drop-off' and 'Pick-up' zones on the School-side of Carr Street have been developed in consultation with the Hobart City Council and are working effectively to support better road safety and reduce traffic congestion.

# The project improves parking, and vehicle circulation, on school property and in the area. As per previous response, the School is endeavouring to create complaint and safer parking spaces near the proposed Sports Gym. The School continues to play its role in supporting improved road safety and minimising traffic congestion, however, is not the authority to enforce compliance or manage community parking.

# The development will not create noise issues.

As stated in the Development Application (Acoustic Engineer Statement) 'that acceptable noise emissions from the redevelopment may be achieved with standard design practice.'

# The development will not create light issues for nearby residents.

As stated in the Development Application (under External Lighting) the external lighting design can comply with, the performance criteria External lighting must not adversely affect existing or future residential amenity, having regard to all of the following: (a) level of illumination and duration of lighting: (b) distance to habitable rooms in an adjacent dwelling.

# The traffic study data is accurate.

Refer to traffic engineers report. Traffic data was collected recently specifically for this proposal.

# The school has undertaken a consultation/community engagement process with local residents.

The School has spoken to or met with over 12 neighbours in the area about the proposed development since September 2019. Throughout the design development there has been consideration for the local community and any information that has been provided about the Development Application has been provided openly, with feedback welcomed and subsequently

Consideration of the construction process, traffic and parking issues during construction. We would be happy to provide the HCC with a Construction management plan if this provides some assurance regarding construction related issues. This could be conditioned on the DA.

The school needs a replacement for the old outdated gym.

As stated in the Development Application, the proposed new Sports Gym will replace the existing and outdated WN Oats Gym. Friends' Health and Fitness does not have a large playing court facility. The proposed new Sports Gym will not be an additional facility.

The development will have no heritage impact upon the neighbourhood. There is nothing to suggest the proposed development will have any heritage impact. Refer to the heritage impact statement.

We trust that this additional information addresses directly some of the issues raised. Please do not hesitate to contact us if there are any further queries.

Yours sincerely.

Shamus Mulcahy



lanning: #20134	4
Property	
23 COMMER	CIAL ROAD NORTH HOBART TAS 7000
People	
Applicant	
* The Friends	O. Cahaal
The Friends	9, SCHOOL
23 Commercial	
NORTH HOBA 62102200	RT TAS 7000
rapted@friends.t	tas.edu.au
Owner *	
The Friends	9; School
23 Commercial	Road
NORTH HOBA	
62102200 rapted@friends.t	tae adu au
rapicoligit icitos.	us.Aus.au
Entered By	
SHAMUS MUL	
42 NEWDEGAT NORTH HOBA	
0409741864	
shamus@bencen	nulcahy.com.au
Use	
Educational fac	ility
Details	
Have you obtai	ined pre application advice?
• <sub>5</sub> Yes	
If YES please o	provide the pre application advice number eg PAE-17-xx
Rohan Probert	
Accommodation	ng for permitted visitor accommodation as defined by the State Government Visitor in Standards? Click on help information button for definition. If you are not the owner of the UST include signed confirmation from the owner that they are aware of this application.
• No	
	on for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter

• DNo			
f this application is relate	ed to an enforcement action ple	ase enter E	nforcement Number
Details			
What is the current appro	oved use of the land / building(s	:)?	
Education			
Please provide a full des swimming pool and gara		developme	nt (i.e. demolition and new dwelling,
Alterations and additions replacement).	s to current gymnasium to create	teaching sp	nces and new gymnasium building (as
Estimated cost of develo	pment		
9400000.00			
Existing floor area (m2)	Proposed floor are	a (m2)	Site area (m2)
5315.00	6918.00		24525
Carparking on Site			
-		N/A	
Total parking spaces	Existing parking spaces	Other (	no selection
48	45	chosen)	P
	147	Chosen	
Other Details  Does the application incl  Yes  * Please be show: dime	e advised that you are required to ensions, location, colours, wordin fixing to wall, etc. enter 0 if there are none	o lodge plans	
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ATTACHMENT B

The Friends' School Campus Redevelopment WN Oats Centre and Gym
Development Application

20th March 2020



Page 94
ATTACHMENT B

# Contents

#### Overview

Land Title Information Design Statement Existing Site Images Location Plan

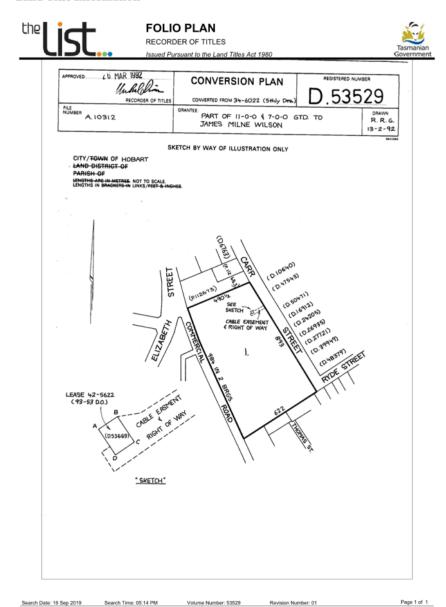
### **Existing and Proposed Drawings**

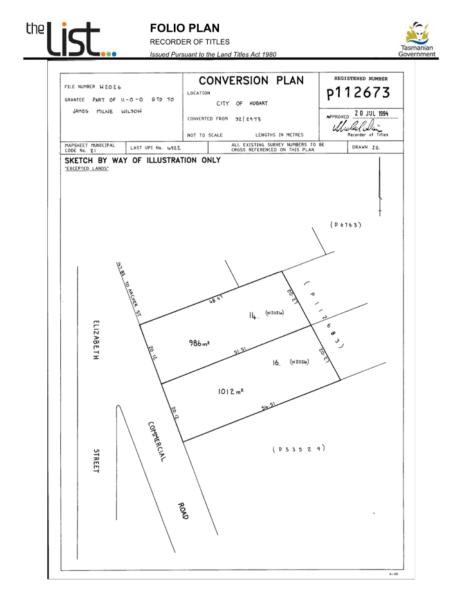
Existing and Proposed Drawings
Gym Material Selection
Artist Impressions - Gym
Artist Impressions - WN Oats Walkway to North Block
Concept Servicing Plan - Gandy and Roberts

#### Supporting Information

Gym Sun Paths and Overshadowing
Traffic Engineers Report- Jo Fisher - Howarth Fisher and Associates (31 pages)
Acoustic Engineer Statement- Bill Butler - Noise Vibration Consulting (2 pages)

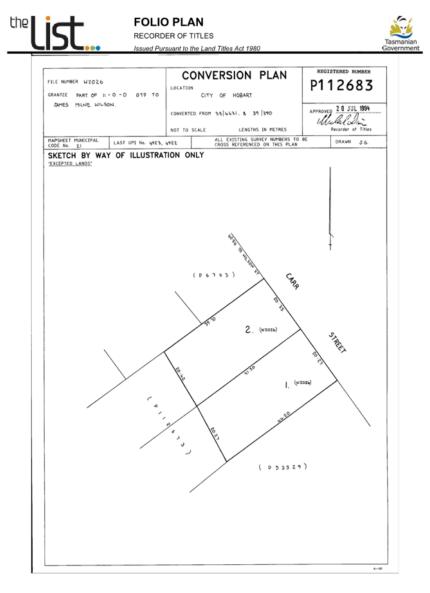
# **Land Title Information**

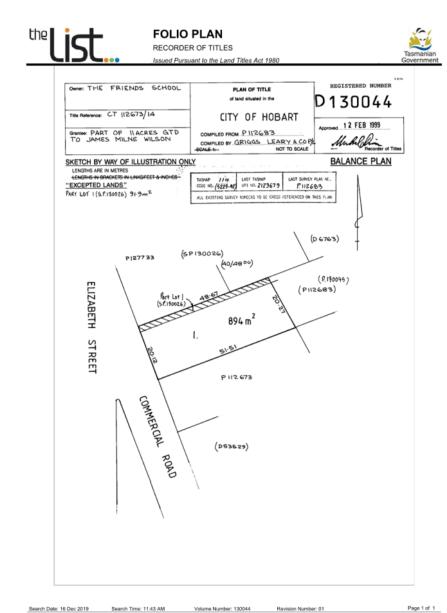




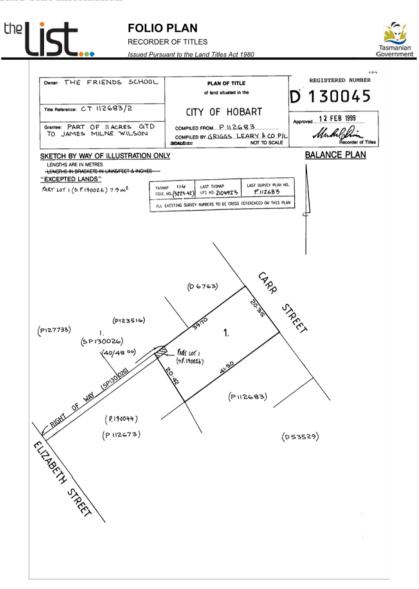
Department of Primary Industries, Parks, Water and Environment

# **Land Title Information**





# **Land Title Information**





## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
53529	1
EDITION	DATE OF ISSUE
4	28-Jan-2004

SEARCH DATE : 16-Sep-2019 SEARCH TIME : 05.13 PM

#### DESCRIPTION OF LAND

City of HOBART Lot 1 on Diagram 53529 Being the land described in Conveyance No. 32/2971 Derivation: Part of 11 Acres & 7 Acres Gtd to J M Wilson Prior CT 4867/72

#### SCHEDULE 1

C481525 THE FRIENDS' SCHOOL INCORPORATED

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any 42/5622 INDENTURE: BURDENING EASEMENT: Right to lay cables for the Hydro-Electric Commission under the Cable Easement and Right of Way shown on Diagram No. 53529 with Right of Entry for maintenance purposes B484724 LEASE to The Hydro Electric Commission of a leasehold estate for the term of 99 years from 17-Jun-1970 (of Lot 1 on Diagram No. 53669). Registered 26-Mar-1992 at 12.02 PM

Leasehold Title(s) issued: 53669/1 C481523 MORTGAGE to Westpac Banking Corporation Registered 28-Jan-2004 at noon

## UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

# **Land Title Information**



# **RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME 112673	FOLIO 16
EDITION 3	DATE OF ISSUE 28-Jan-2004

SEARCH DATE : 16-Dec-2019 SEARCH TIME : 11.41 AM

#### DESCRIPTION OF LAND

City of HOBART
Lot 16 on Plan 112673
Being the land secondly described in Conveyance No. 32/2973
Derivation: Part of 11 Acres Gtd. to J M Wilson
Derived from W2026

#### SCHEDULE 1

C481525 THE FRIENDS' SCHOOL INCORPORATED

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any C481523 MORTGAGE to Westpac Banking Corporation Registered 28-Jan-2004 at noon

#### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
112683	1
EDITION	DATE OF ISSUE
2	28-Jan-2004

SEARCH DATE : 16-Dec-2019 SEARCH TIME : 11.43 AM

#### DESCRIPTION OF LAND

City of HOBART Lot 1 on Plan 112683 Being the land described in Conveyance No. 33/4431 Derivation : Part of 11 Acres Gtd. to James Milne Wilson Derived from W2026

#### SCHEDULE 1

C481525 THE FRIENDS' SCHOOL INCORPORATED

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any C481523 MORTGAGE to Westpac Banking Corporation Registered 28-Jan-2004 at noon

#### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

# **Land Title Information**



## RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME 130044	FOLIO 1
EDITION 2	DATE OF ISSUE 28-Jan-2004

SEARCH DATE: 16-Dec-2019 SEARCH TIME : 11.43 AM

#### DESCRIPTION OF LAND

City of HOBART Lot 1 on Plan 130044 Derivation : Part of 11 Acres Gtd. to J M Wilson Prior CT 112673/14

### SCHEDULE 1

C481525 THE FRIENDS' SCHOOL INCORPORATED

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any C481523 MORTGAGE to Westpac Banking Corporation Registered 28-Jan-2004 at noon

#### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



# RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
130045	1
EDITION	DATE OF ISSUE
2	28-Jan-2004

SEARCH DATE : 16-Dec-2019 SEARCH TIME : 11.44 AM

#### DESCRIPTION OF LAND

City of HOBART Lot 1 on Plan 130045 Derivation: Part of 11 Acres Gtd. to James Milne Wilson Prior CT 112683/2

### SCHEDULE 1

C481525 THE FRIENDS' SCHOOL INCORPORATED

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any SP 130026 BENEFITING EASEMENT: Right of Carriageway over the Right of Way shown on Diagram No. 130045 C481523 MORTGAGE to Westpac Banking Corporation Registered 28-Jan-2004 at noon

#### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Page 1 of 1

# **Design Statement**







Hobartville entry, WN Oats Centre to the left



WN Oats Centre entry



WN Oats Centre

Background

In 2016 The Friends' School undertook a masterplan for both the Commercial Road and Argyle Street Campuses. The brief for the masterplan focused on providing additional teaching spaces and improving the amenity, accessibility and safety of the existing buildings and outdoor spaces. The masterplan catered for existing student numbers and the school is not intending to increase enrolments.

A number of key initiatives were identified for the Commercial Road Campus at 23 Commercial Road, North Hobart:

•Redevelopment of the existing gym (WN Oats Centre) into a teaching building, ·A new gym.

·Consolidation of subsequent available space within the existing heritage buildings, ·Where possible, improvements to existing non-compliant on-site staff parking to improve safety and equitable access throughout the campus.

This DA seeks approval for the redevelopment of the existing gym (WN Oats Centre) into a teaching building and a new gym building.

#### The WN Oats Centre

The WN Oats Centre was constructed in 1984. The current facility has served the school's need for an indoor sports court for basketball, netball, volley ball, badminton and other similar sports. The current facility includes change rooms, toilet facilities, two staff offices. a number of storage rooms. The current facility at times has also been used for school gatherings and other non sporting uses.

The school needs additional teaching spaces to relieve time-tabling pressures and to replace teaching spaces currently housed in areas around the school that are best suited for other more specialist education based activities.

The proposal seeks to utilise the existing WN Oats Centre, with some modification and the addition of a new internal floor level, to provide contemporary learning environments, consolidate students in the centre of the campus, and for the first time at the campus, provide equity of access, create learning precincts and alleviate timetabling stresses.

The proposal accommodates seven classrooms (General Learning Areas GLA's), staff offices, breakout areas, one-on-one pods, a learning support area, reception and toilets.

A new lift is to be constructed on the south east corner of the WN Oats Centre providing equitable access from the existing car park to the new teaching facility. Within the campus an elevated pedestrian linkway is proposed to connect the new WN Oats first floor to the existing North Block.

#### The Gym

The proposed development is for a new gym on Carr Street and is to be located on the site of the existing upper Carr Street tennis courts.

The gym is for the whole school to use and provides for basketball, netball, volley ball, badminton and other similar court sports, change rooms, toilet facilities, a staff room and two offices, a number of storage rooms and two GLA's

The new gym replaces the use of the existing outdated facilities of the WN Oats Centre on Commercial Road, freeing it up for redevelopment into classrooms.

A new lift is to be constructed on the northern facade of North Block adjacent the gym providing equitable access for both North Block and the new gym.

# The Proposal Description

The WN Oats Centre located on Commercial Road adjacent the main car park was constructed in the 1980's. It is simple and rational in form with a double height gym volume and two storey annexe with toilets, change and staff rooms all constructed of unfinished concrete block. A single level storage facility also constructed of concrete block on the Commercial Road facade, presumably at a later date, has a paint finish.

The existing WN Oats Centre is not characteristic of other buildings on site and is unique with its utilitarian materiality and distinctive gablet roof.

This proposal seeks to convert the building into a teaching space by installing a new floor in the volume of the existing gym creating a two level teaching space.

The proposal is to render the existing external concrete block in an off-white colour.

New glazing to the southern facade at the lower level provides views and daylighting for the ground floor and the existing upper level glazing is removed and lowered.

New openings are formed adjacent to existing windows on the northern facade at high level to increase daylighting of the new first floor and to complement the layout of the southern facade at the high level. The break up of mullions and transoms is derived from the

A new lift core to the existing annexe is rendered concrete block and a pedestrian linkway from the new first floor connecting to North Block is concrete with a lightweight steel frame and glazed roof with steel handrail and balustrade.

#### The Gvm

The proposed development is for a new single level gym, fronting Carr Street and a two level teaching and amenities building facing south and into the campus.

In developing the design of the gym consideration has been given to the existing school buildings on Carr Street, in particular their relationship to the street, scale and material treatment. The mix of historic buildings and the 1960's North Block are located either directly on the street frontage or are set back with purposeful outdoor spaces such as gardens, grassed areas, paved courtyards, verandahs and brick fences. These buildings are brick (painted or unfinished) and display restrained and simple detailing.

The proposed gym presents to the street with a reduced scale to the existing North Block, seeking to transition to adjoining buildings. The gym's front setback aligns with the adjoining residence 24 Carr Street and it is offset from the side boundary by five metres. The front setback enables a paved forecourt for safe student movement and areas of planted landscaping for relief.

The gym has a red brick base and offwhite precast concrete external walls. This lightcoloured material palette is informed by the historic painted brick buildings further south on the campus and later red brick buildings and landscaping additions along Carr Street.

A verandah on the front facade provides covered waiting areas for students at the existing on-street drop-off/pick-up zone and de-scales the apparent bulk of the gym. The verandah is domestic in scale, character and materiality with slender painted steel columns and profiled sheet metal roof.

Windows are scaled to match neighbouring residences and are recessed into the facade with generous chamfered sills. These provide depth and shadow to the facade and deal with the conflicting requirements for daylight and

### The WN Oats Centre

conceptual imagery only (not to scale)

existing Carr Street material details

# **Design Statement**



concrete and steel detailing



painted brickwork, feature windows, cobbled brickwork



Street view to Pendle Hill from the corner of Rupert and Elizabeth Street (new gym behind Pendle Hill, outline in red dash)

A fence and gate secures the side setback and visually completes the front facade to the boundary. The fence and gate is to be constructed of narrow vertical steel bars and is 70% open. It is to be painted to match the proposed concrete.

The entry to the gym is on ground level and addresses North Block. A new lift constructed to the rear of North Block is connected to the gym with a raised open linkway which provides equitable access to the gym floor level. This lift core is red brick and the linkway has an open steel balustrade and lightweight steel and profiled sheet metal roof.

The northern elevation is utilitarian, it includes a single storey storage facility at the rear of the building which abuts the existing Friends Health & Fitness. The facade is precast concrete in off-white and at low levels includes a planted/green wall feature.

The western elevation articulates the volume of the gym and the two storey teaching building. Windows are located on the northern most part of the facade to provide passive surveillance from within the gym of the existing entry to the neighbouring Friends Health & Fitness. On the far end of the facade the two storey teaching building windows are located to suit internal functions. The lower level of this entire facade is brick (red) and the upper level pre-cast concrete (off-white).

# Heritage

The Friends School Campus at 23 Commercial Road, North Hobart, is listed on the Tasmanian Heritage Register (THR ID Number 2810) and demonstrates the evolution of education in Tasmania and early colonial development.

The Tasmanian Heritage Register Data Sheet describes the site as follows:

"The Friends' School Commercial Road Campus is an eclectic group of buildings that reflects a pattern of adaptation and construction over more than 120 years."

The proposed areas of building work to and within the WN Oats Centre and on the site of the existing upper Carr Street tennis courts are not listed on the register.

"The registered area: The features in the registered area are Hobartville; School Block; the Student Centre; the Hodkgin Wing and Western Wing designed by Bernard Walker; the wall and entrance gates on Commercial Road; and Pendle Hill on Elizabeth Street, Just as Hobartville was modified to accommodate the new Walker wings, the School Block, along with the Western and Hodgkin Wings, have been modified since construction without losing their exterior architectural integrity. Hobartville was 'refurbished' in 1993 (Given, p.72).

The interiors and fittings of the buildings are not proposed for registration."

The data sheet details the history of the campus and its development in detail. Little mention is made of the existing WN Oats Centre except for the final paragraph of the document where it states:

"Later additions to The Friends' School Commercial Road Campus have included the Sheila Given Music Centre, the WN Oats Centre fronting on Commercial Road, Robey House and the Health and Fitnes Centre. The architects of these buildings are unknown."

The heritage register recognises the historic cultural heritage significance because of its demonstration of the evolution of education and early colonial development in Tasmania. The establishment of the school occurred at a time of unusual prosperity and when greater attention was given to education. In response to the banishment of denominational teaching in government schools many private religious schools were established in the mid 1800's around the state.

The Society of Friends was earlier established in Hobart following the 1830's visit of English Quaker missionaries James Backhouse and George Washington Walker and in 1887 the first school was established in Warrick Street, Hobart. The school proved popular and larger accommodation was soon required.

Hobartville is an impressive 1830's Old Colonial Georgian villa with Inter-War additions surrounded by Federation and Inter-War residences. It was originally constructed for an early local whaler but was in a state of disrepair by the late 1880's. Then purchased by the School the first round of many additions started at Hobartville as early as 1891.

By 1929 additions had been made to the rear and north-eastern side of Hobartville (School Block), Pendle Hill had been acquired for headmaster's quarters, The Hodgkin Wing was built by Architect and old boy Bernard Walker introducing distinctive arches, the current entrance to Hobartville including the Inter-War Spanish Mission style portico and the whole complex of buildings was painted a consistent cream colour for uniformity.

A gym (current theatre) was constructed in the late 1930's.

In 1966 North Block was opened. This modern institutional building by Architect Sydney Blythe followed the earlier masterplan he had completed for both the Argyle and Commercial Road Campuses.

This proposal is another iteration of the evolution of the Friends' School Commercial Road Campus.

By adapting and re-using an existing nonheritage building in a sympathetic and rational manner and by building a new building of a similar scale and setback to existing historic buildings on the campus in a location which is not of heritage significance, the proposal minimises its impact to the site's significant buildings.

Furthermore the historic characteristics of the existing buildings on the site have informed the design philosophy for new works and so the proposed works sit comfortably in their context.

Preliminary advice from Heritage Tasmania Council officer Russell Dobie is that their interest is limited to the encroachment on the rear of the Pendle Hill title. The impact of the boundary encroachment and removal of the existing boundary hedge to Pendle Hill is minimised by planting a new hedge along the rear of the proposed development on the Pendle Hill site.

The visual impact of having a building behind Pendle Hill when viewed from Commercial Rd/Elizabeth St is minimal as it maintains a significant setback behind Pendle Hill. Refer to conceptual imagery provided above.

# Planning

The site is within the 11.0 Inner Residential Zone of the Hobart Interim Planning Scheme 2015. And the proposed development, being non-residential and an Educational facility, is discretionary under the scheme listed in the Use Table.

The following Zone Purpose Standards apply to the project:

11.1.1.2 To provide for compatible nonresidential uses that primarily serve the local community.

11.1.1.6 To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

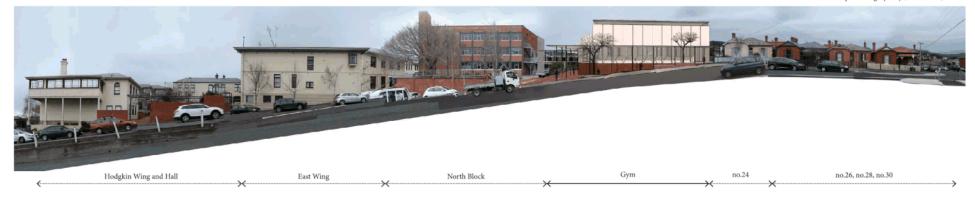
There are no Local Area Objectives of Desired Future Character Statements for this zone.

# Use Standards Hours of Operation

The number of students on the Commercial Road Campus remains at approximately 560. The proposed development caters only to existing student numbers and the school is not intending to increase enrolments.

# **Design Statement**

Carr Street with new gymnasium conceptual imagery only (not to scale)



There is no intensification of use on the

The redevelopment of WN Oats Centre provides contemporary teaching spaces and associated facilities to replace those already located around the campus.

The proposed gym would be similar in use to the existing tennis courts on the site. The hours of operation for the WN Oats Centre will be the same as the existing teaching buildings on the campus. The existing class timetable runs from nominally Monday to Friday 8:30am to 4:00pm, during school terms. Scheduled and timetabled use of the redeveloped Oats centre will generally be within these times.

The operating times of the redeveloped WN Oats centre will be significantly less than in its current use as a gym, which is used before and after school.

The new gym on Carr Street replaces the outdated gym facilities of the WN Oats Centre relocating gym use on the campus.

The hours of operation for the proposed gym will be consistent with the hours of operation of the existing WN Oats Centre gym. That is, intensive use by students Monday to Friday from 8:30am to 4:00pm for physical education classes and associated school activities and use on week days (generally 4:00pm to 8:00pm) and weekends by school and community groups for training and social sport e.g. basketball

The hours of operation of this proposal vary slightly from the acceptable solution but remain consistent with current use are considered to meet the Performance Criteria:

Acceptable Solution A1: Hours of operation must be within 8.00 am to 6.00 pm, except for office and administrative tasks or visitor accommodation.

Performance Criteria P1: Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or

#### Noise

An acoustic specialist is involved with this project. Please refer to the acoustic report included in this submission.

There is no evidence that the teaching uses proposed for the redeveloped WN Oats Centre will generate significant noise. The use patterns of the redeveloped WN Oats Centre will be consistent with those of the other teaching buildings on the site.

There is no evidence that the existing gym generates excessive noise. The use patterns of the new gym will be consistent with the existing use of the WN Oats Centre gym and therefore there should be no intensification of noise. Furthermore the construction detailing of the new gym's facade and building envelope will consider noise control.

The proposed redevelopment of the WN Oats Centre and the proposed new gym on Carr Street can meet Acceptable Solutions A2:

Noise emissions measured at the boundary of the site must not exceed the following:

- 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;
- 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;
- 65dB(A) (LAmax) at any time.

## External lighting

External lighting will be provided around the redeveloped WN Oats Centre and the new gym to facilitate safe access. These lights will be controlled to provide low glare, local illumination to specific locations within the site only and will be timed to turn off when

Limited openings have been designed on the facades of both buildings to minimise light spill. New windows located at the WN Oats Centre do not face existing residences. Windows on the front facade of the new gym are residential in scale and a high level translucent diffuser around the perimeter of the new gym is nominally 600mm high.

The proposal for the new gym involves removal of the six pole mounted lights on the existing tennis courts and will emit a lower level of illumination than currently on site.

External lighting design can comply with P3:

External lighting must not adversely affect existing or future residential amenity, having regard to all of the following:

- level of illumination and duration of lighting
- distance to habitable rooms in an adjacent dwelling

## Traffic

A traffic impact assessment has been prepared by a traffic engineer and is included in this

# Commercial vehicles

There is no regular commercial vehicle movement associated with or generated by the proposed redevelopment of the WN Oats Centre or the proposed new gym.

Commercial vehicle movements can comply with Acceptable Solutions A4:

Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:

- 7:00am to 5pm Mondays to Fridays inclusive:
- 9:00 am to 12 noon Saturdays; nil on Sundays and Public Holidays.

#### Development Standards

There are a number of particular development standards in the planning scheme that apply to non residential developments within the inner residential zone, such as the redeveloped WN Oats Centre. The planning scheme notes:

11.4.9 Non-Dwelling Development To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties. Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling:

- 11.4.2 A1 and A3:
- 11.4.3 A1 (a) and (c);

11.4.7 A1

Performance Criteria P1: Non-dwelling development must comply with the related performance criteria as if it were a dwelling.

11.4.2 Setbacks and building envelope: The overall setback, bulk and scale of the existing WN Oats Centre remains little changed by the redevelopment. Two minor additions to the exterior include a new lift core and a raised parapet to shield proposed air conditioning units.

The new gym extends slightly beyond the building envelope prescribed in diagram 11.4.2C Building Envelope. Refer to the elevations.

A store and entry to the neighbouring Friends Health & Fitness is proposed along the northern boundary. The length of the proposed store is beyond the prescribed 9m but does not extend beyond the existing adjoining Friends' Health and Fitness building which also abuts the boundary.

The proposal for the new gym is beyond the building envelope in regard to height and is therefore to be considered under Performance Solution 11.4.2.P3.

## **Design Statement**

The new gym is situated to the south

overshadow adjoining lots.

from an adjoining lot; and

b)provide separation between

of adjoining lots and will therefore not

Consideration to the potential loss of amenity

on adjoining properties has been considered

accordance with the Performance Solutions:

a)not cause unreasonable loss of amenity by

dwellings on adjoining lots that is compatible

with that prevailing in the surrounding area.

The visual impact, apparent scale, bulk and

proportions when viewed from 24 Carr Street

have been considered throughout the design

of the gym. Previous iterations of the scheme

northern boundary and a significant setback

The materiality of the building is red brick

marry in with the historic painted and red

brick buildings on the campus. A planted/

green wall is located on the lower part of the

will provide a visual screen when viewed from

northern external gym wall within the side boundary setback adjacent 24 Carr Street and

and off-white concrete. Its colour palatte will

had the gym located much closer to the

of 5m has now been introduced.

the two windows which overlook.

iv) visual impacts caused by the apparent scale,

bulk or proportions of the dwelling when viewed

throughout the design of the proposal in

The siting and scale of a dwelling must:

existing Carr Street material details





domestic red brick, concrete and white painted steel elements

front gardens adjucent.

At the new gym new red brick planter beds continue the exisitng pattern of landscape features (podiums and courtyards) along the Carr Street frontage. These planter beds provide visual relief to the streetscape and are consistent with the pattern of small residential

A landscape architect will be engaged by the school as the project develops. The school has a tradition of establishing and maintaining gardens around the school and garden beds in this proposal will fall under the same maintenance regime.

The siting and scale of the existing institutional and historic buildings on the Carr Street frontage has informed the siting and scale of the new gym.

The new gym is setback from the street boundary to align with the setback of its neighbouring residence at 24 Carr Street so as to protect its frontage views to the city.

This setback improves pedestrian amenity and provides a domestic quality of space with its paved forecourt, raised planter beds and a verandah contextualising the new building with its Federation Style and Inter-War neighbouring residences.

The Carr Street setback complies with Acceptable Solution A1:

b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.

11.4.3 Site Coverage and Open Space

The Friends' School Commercial Road Campus has low levels of site coverage relative to the percentages referenced in the planning scheme. No change to the existing site area free from impervious surfaces is proposed.

The current school campus is nominally 24,525m2. The existing building footprint's aggregate is 5,315m<sup>2</sup> or 22% site coverage.

There is very limited additional floor area proposed for the WN Oats Centre footprint for the new lift core.

With the addition of this and the proposed new gym the aggregate building footprint will be increased by nominally 1,597m2 to 6,918m2 or 28.2% site coverage.

With minimal alteration to existing green spaces the site coverage complies with Acceptable Solutions A1:

Dwellings must have:

a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and b)a site area of which at least 25% of the site area is free from impervious surfaces.

11.4.7 Frontage Fences

No adjustment to the current fence or heritage wall is proposed as part of this development in relation to the works at the WN Oats Centre and along Commercial Road. The proposal complies with Acceptable

The proposed new gym will not have a significant fence or freestanding wall to the bulk of the frontage for consideration under

A security fence and gate is proposed to secure the space north of the gym adjacent to 24 Carr Street. This fence is constructed from steel, is nominally 3000mm high and aligns with the verandah and is 70% open to provide mutual passive surveillance between the road and the internal space and complies with Performance Criteria P1:

A fence (including free-standing walls) within 3m of a frontage must allow for mutual passive surveillance between the road and the dwelling (particularly on primary frontages), and maintain or enhance the streetscape.

artist impression only (not to scale)



Carr Street view entry

This proposal is another iteration of the 130 year long quiet evolution of The Friends'

The proposed redeveloped WN Oats Centre fulfils the school's educational requirement for a number of contemporary teaching spaces to replace those housed primarily in the existing heritage building and other speciality areas.

The proposed use of the Oats Centre enables a sympathetic adaption to the existing 1980's building with little impact to the streetscape and the community generally.

The proposed new gym on Carr Street will provide the school and community with a contemporary sports facility replacing the current outdated WN Oats Centre.

The new gym is a contemporary addition to the streetscape sitting purposefully and comfortably amongst the adjacent school buildings and its residential neighbours.

In providing these new facilities the school seeks not to change the way it currently operates nor the numbers of students that it currently caters for. The new facilities will provide additional space and amenities to relieve the school's timetable, generate flexibility within the existing buildings (creating opportunities for other currently constructed teaching spaces to expand) and provide contemporary facilities for teaching and physical education.

Summary School Commercial Road Campus.

# Site Images WN Oats Centre

View from the existing staff carpark off Commercial Road looking north towards the existing WN Oats Centre.



The existing gym interior.



View looking through from the existing stairway of the WN Oats Centre



Entry. View looking across the Commercial Road through the existing staff carpark to Hobartville beyond. WN Oats Centre on





wall and the western elevation of WN Oats Centre and the Sheila Given Music Centre beyond.



View looking across Commercial Road to the existing brickwork boundary View of existing wall and archway between Hobartville and WN Oats



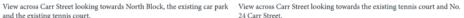
View looking south from the existing Netball Courts to the northern elevation of the existing WN Oats Centre.



View looking north from the centre of the existing Hobartville carpark to the southern elevation of the WN Oats Centre.

# Site Images Carr Street

and the existing tennis court.



View looking north up Carr Street to the entry way of the existing carpark and the lower corner of the tennis courts.

The existing boundary wall of Friends Health & Fitness centre from the tennis courts.















The existing tennis court fence on the boundary with 24 Carr Street.



View looking north up Carr Street showing tennis court and adjacent residential neighbour at 24 Carr Street.



View looking south down Carr Street showing tennis court and northern facade of North Block.

**Location Plan** 

Not to Scale



	NG SCHEDULE ECTURAL	
DRAWING NO.	DRAWING	REV
A-COVER	Cover Page	
EX100	Location Plan-WN Oats Centre + Gymnasium	
A100	Site Plan-WN Oats Centre	
A101	Site Plan-Gymnasium	
EX200	Existing Ground Level Plan - WN Oats	
EX201	Existing Level 01 Plan-WN Oats	
A204	Proposed Ground Level Plan- WN Oats	
A205	Proposed Level 01 Plan- WN Oats	
A207	Proposed Ground Level Plan -Gym	
A208	Proposed Level 01 Plan -Gym	
EX300	Existing Elevations- WN Oats	
EX301	Existing Elevations- WN Oats	
A300	Proposed Elevation - WN Oats	
A301	Proposed Elevation - WN Oats	
A302	Proposed Elevation - Gym	
A303	Proposed Elevation - Gym	
EX400	Existing Section - WN Oats	
A400	Proposed Section - WN Oats	
A401	Proposed Section - Gym	



42 Newdegate Street, North Hobart TAS 7000 mail@bencemulcahy.com.au 0410 980 180 or 0409 741 864

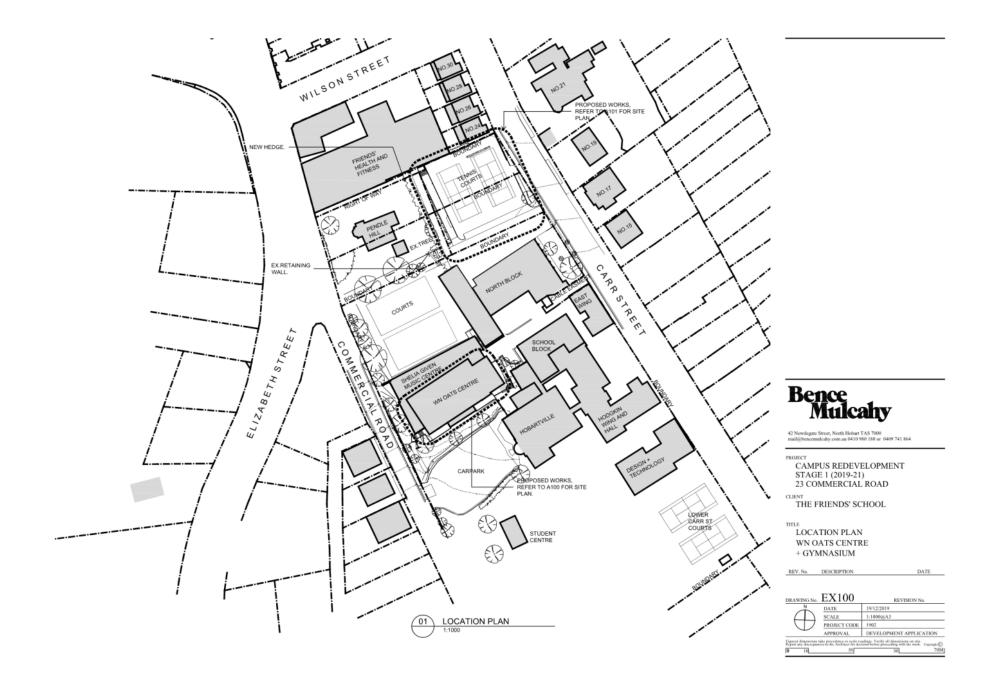
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

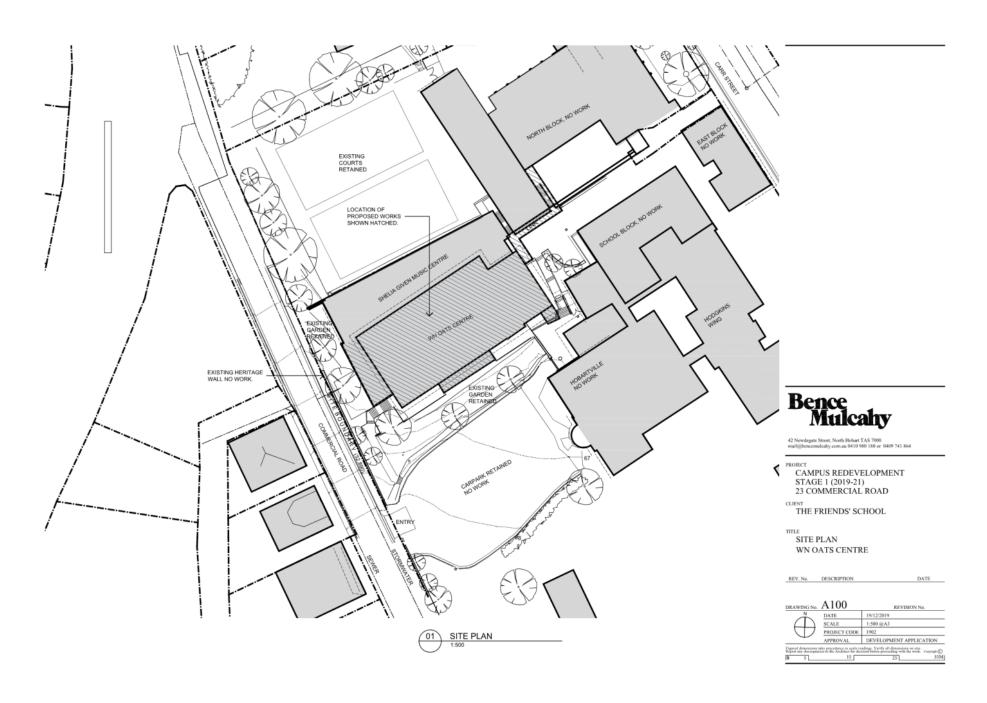
THE FRIENDS' SCHOOL

COVER WN OATS CENTRE + GYMNASIUM

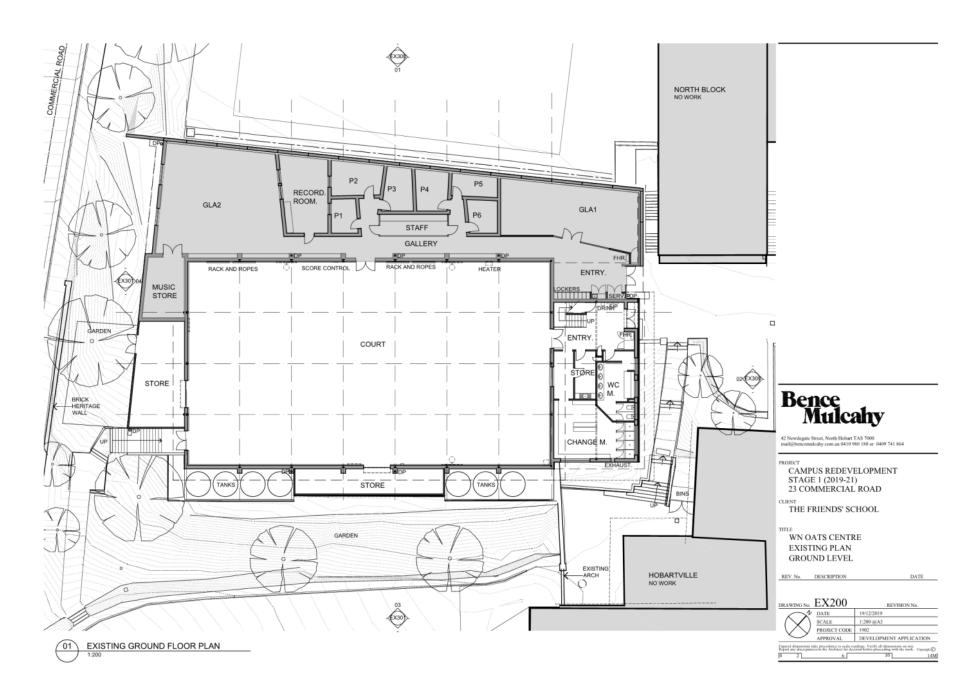
REV. No. DESCRIPTION

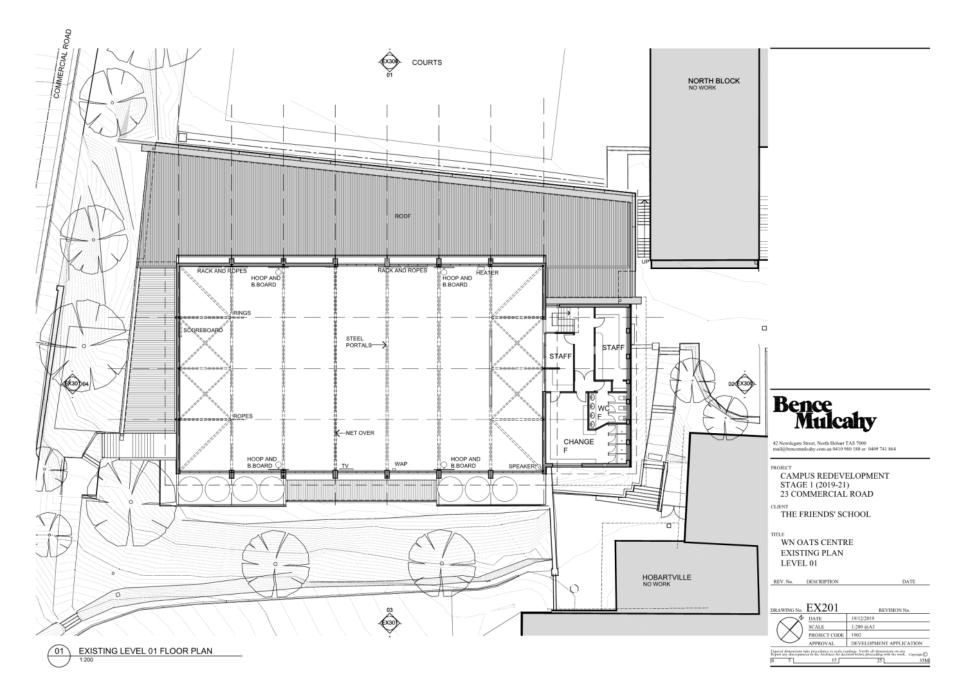
DATE	19/12/2019
SCALE	
PROJECT CODE	1902
APPROVAL.	DEVELOPMENT APPLICATION

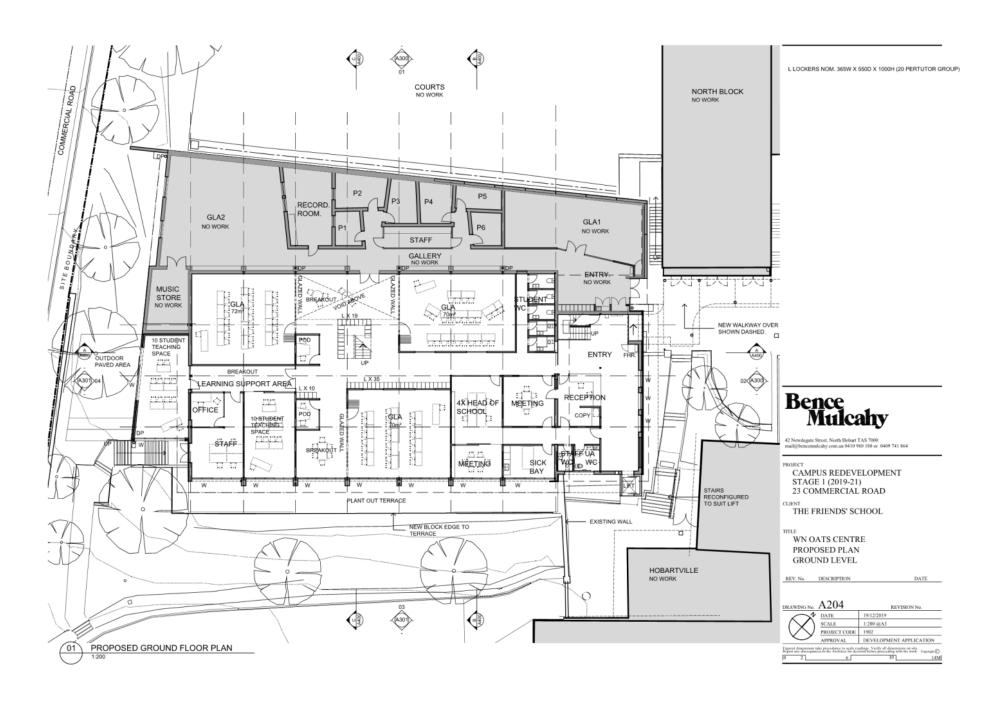


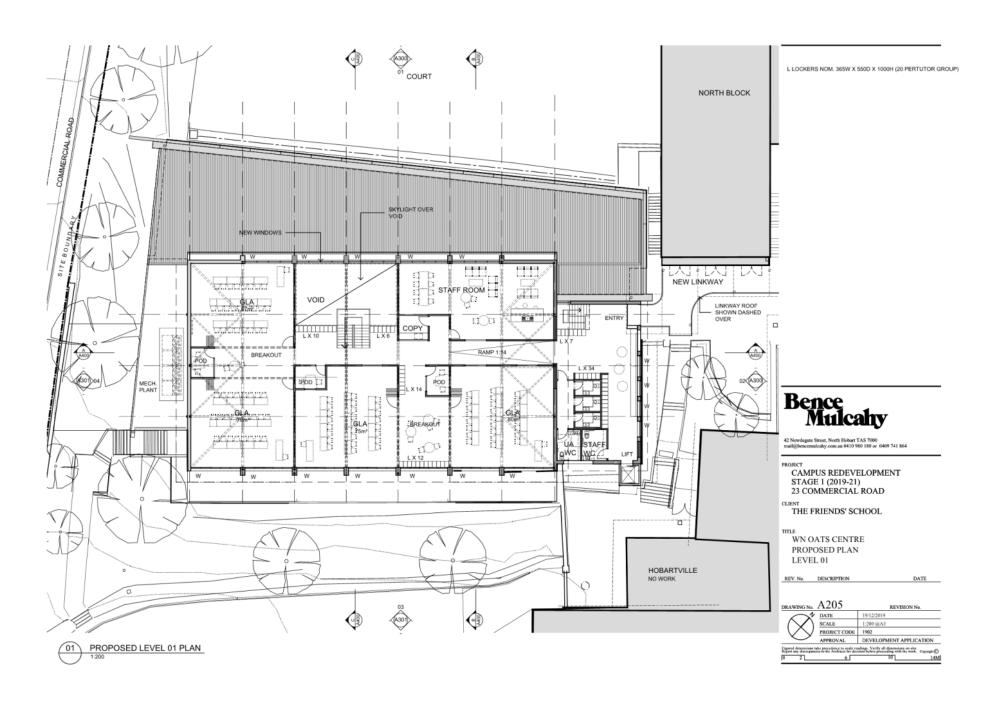


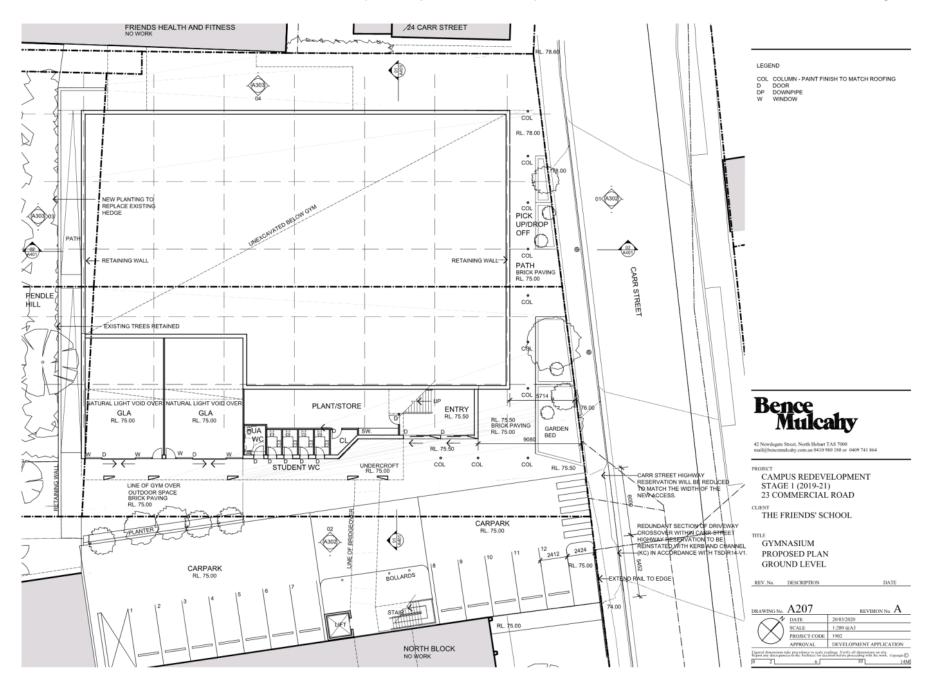


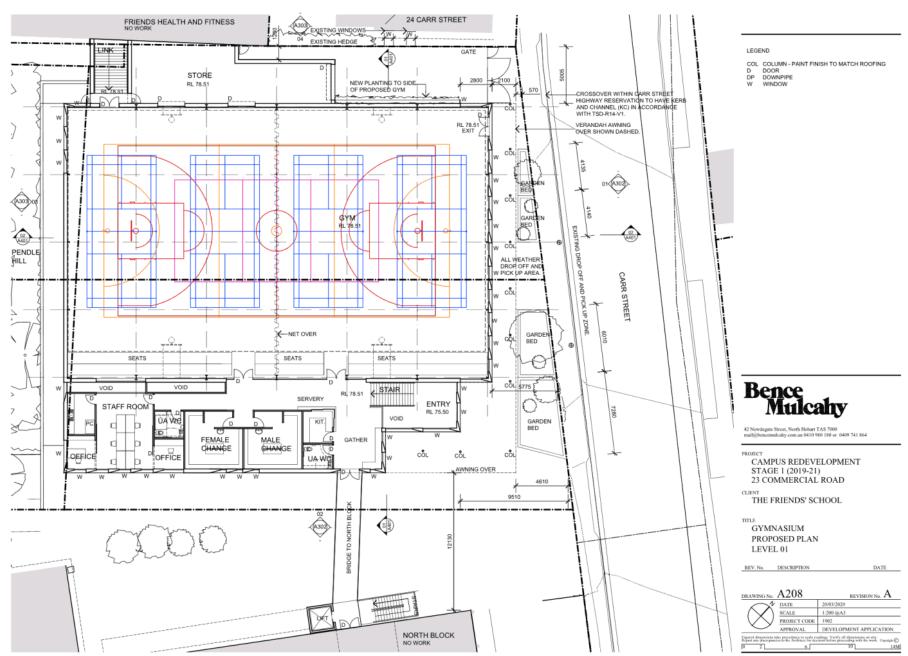


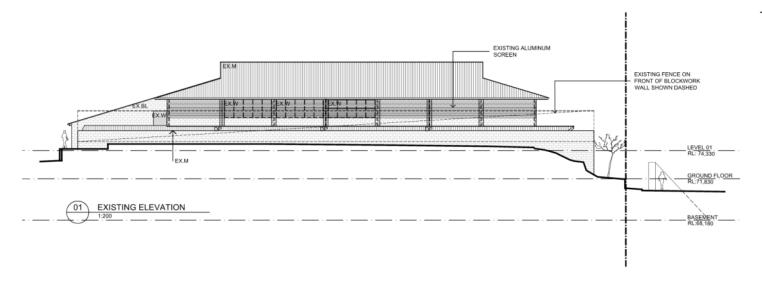












#### LEGEND

EX EXISTING

BLOCKWORK RENDERED FINISH, OFF-WHITE

DOOR
DOOR
PROFILED SHEET METAL, SILVER/ GREY
PRECAST CONCRETE PAINTED



### EXISTING ELEVATION

## Bence Mulcahy

42 Newdegate Street, North Hobart TAS 7000 mail@bencemulcahy.com.au 0410 980 180 or 0409 741 864

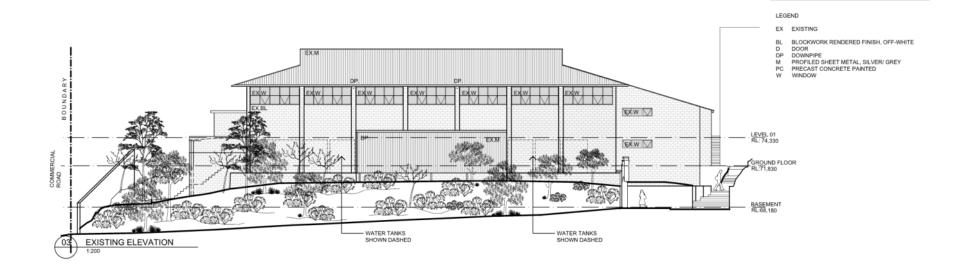
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

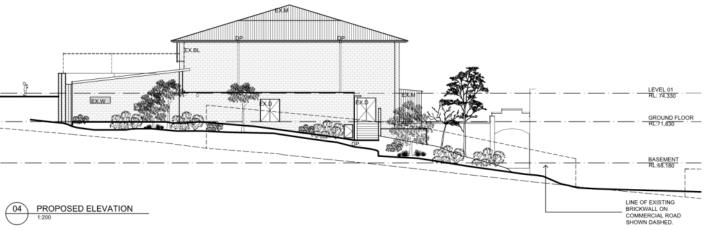
THE FRIENDS' SCHOOL

WN OATS CENTRE EXISTING ELEVATIONS

REV. No.	DESCRIPTION	DATE

DATE	19/12/2019
SCALE	1:200 @A3
PROJECT CODE	1902
APPROVAL.	DEVELOPMENT APPLICATION





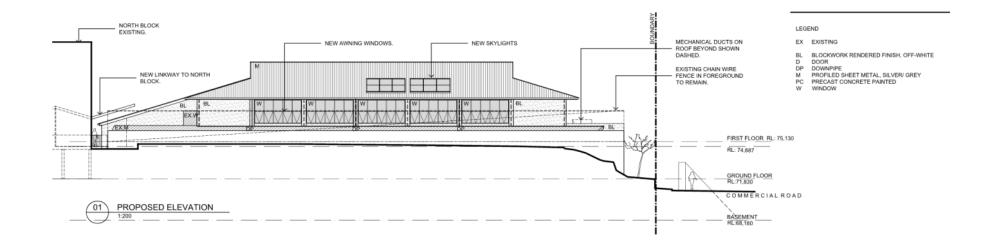
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

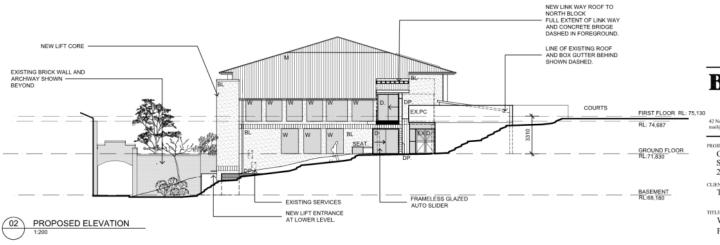
THE FRIENDS' SCHOOL

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DATE	19/12/2019
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CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

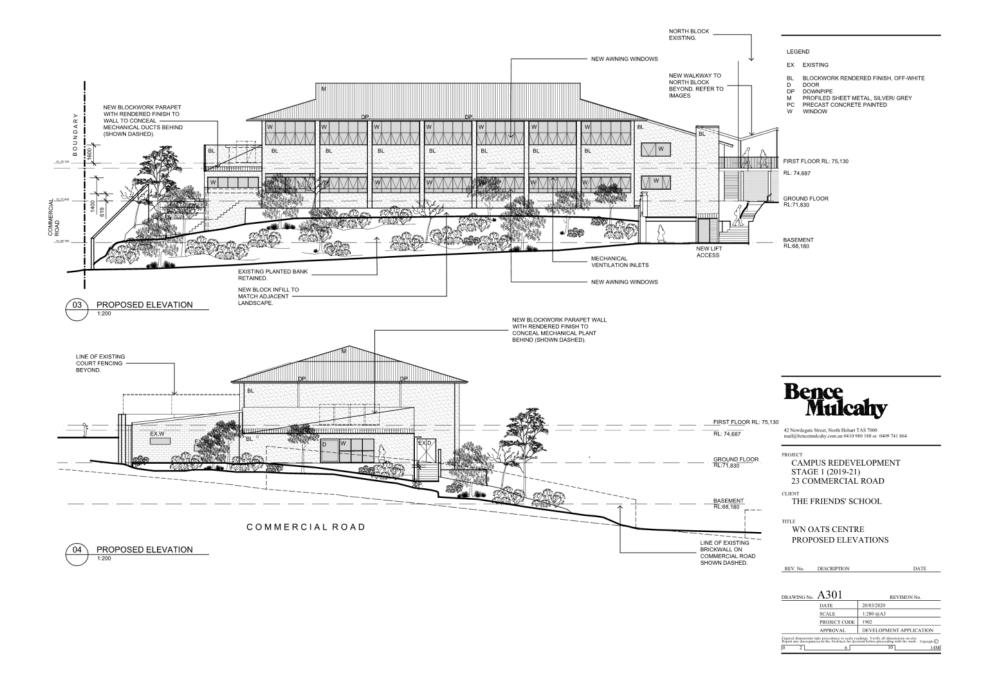
THE FRIENDS' SCHOOL

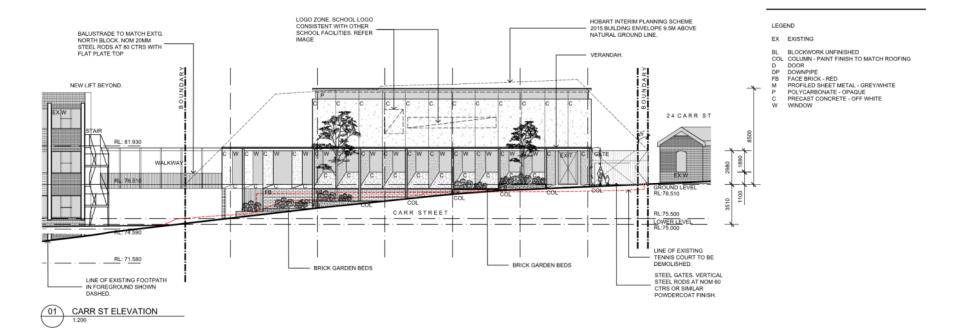
WN OATS CENTRE PROPOSED ELEVATIONS

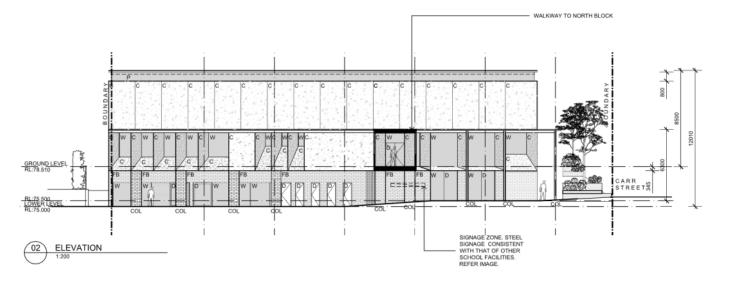
REV. No.	DESCRIPTION	DATE

DATE	20/03/2020
SCALE	1:200 @A3
PROJECT CODE	1902
APPROVAL	DEVELOPMENT APPLICATION

### Agenda (Open Portion) City Planning Committee Meeting - 14/9/2020







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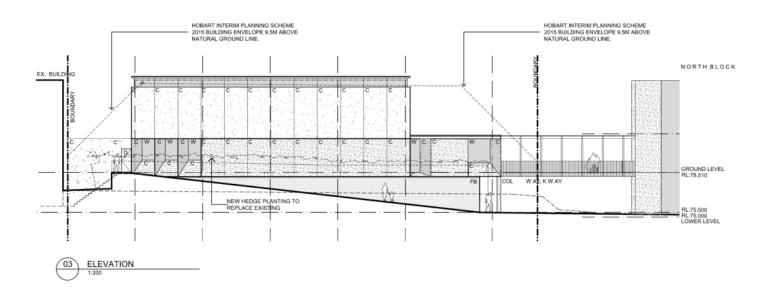
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

THE FRIENDS' SCHOOL

GYM ELEVATIONS

REV. No. DESCRIPTION DATE

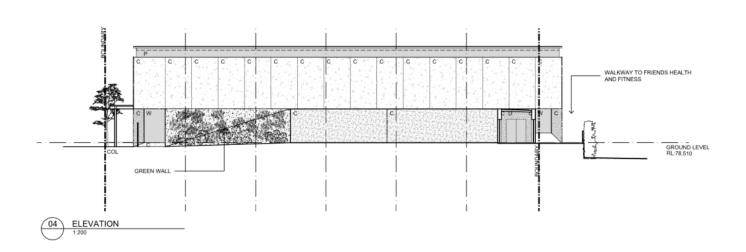
DATE	20/03/2020
SCALE	1:200 @A3
PROJECT CODE	1902
APPROVAL	DEVELOPMENT APPLICATION



#### LEGEND

EX EXISTING

BL BLOCKWORK UNFINISHED
COL COLUMN - PAINT FINISH TO MATCH ROOFING
D DOOR
D DOWNPIPE
FB FACE BRICK - RED
M PROFILED SHEET METAL - GREY/WHITE
P POLYCARBONATE - OPAQUE
C PRECAST CONCRETE - OFF WHITE
W WINDOW



## Bence Mulcahy

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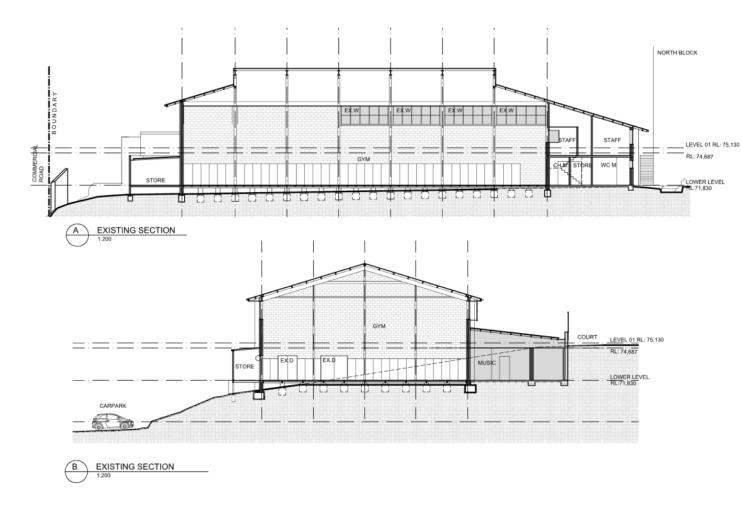
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

THE FRIENDS' SCHOOL

GYM ELEVATIONS

REV. No. DESCRIPTION DATE

DATE	20/03/2020
SCALE	1:200 @A3
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APPROVAL	DEVELOPMENT APPLICATION



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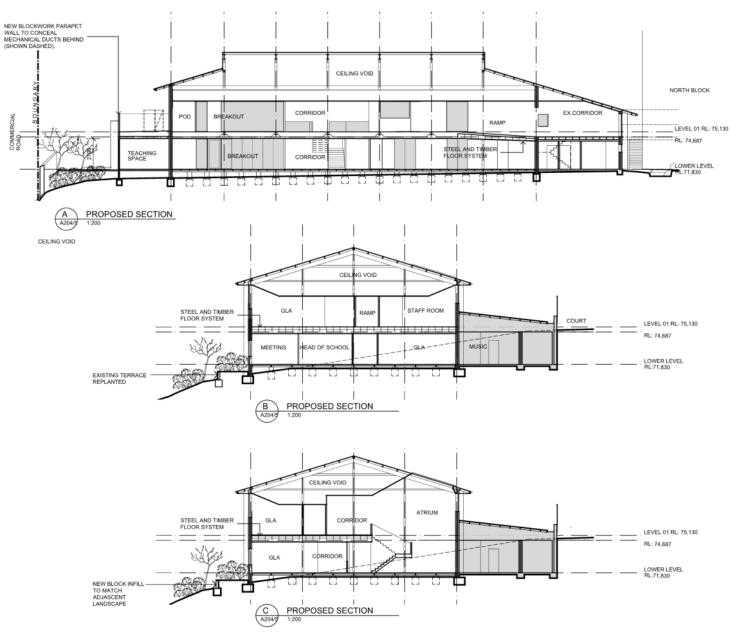
CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

THE FRIENDS' SCHOOL

WN OATS CENTRE EXISTING SECTIONS

REV. No. DESCRIPTION

DATE	19/12/2019
SCALE	1:200 @A3
PROJECT CODE	1902
APPROVAL	DEVELOPMENT APPLICATION



42 Newdegate Street, North Hobart TAS 7000 mail@bencemuleahy.com.au 0410 980 180 or 0409 741 864

OJECT

CAMPUS REDEVELOPMENT STAGE 1 (2019-21) 23 COMMERCIAL ROAD

CLIENT

THE FRIENDS' SCHOOL

TITLE

WN OATS CENTRE PROPOSED SECTIONS

REV. No. DESCRIPTION DATE

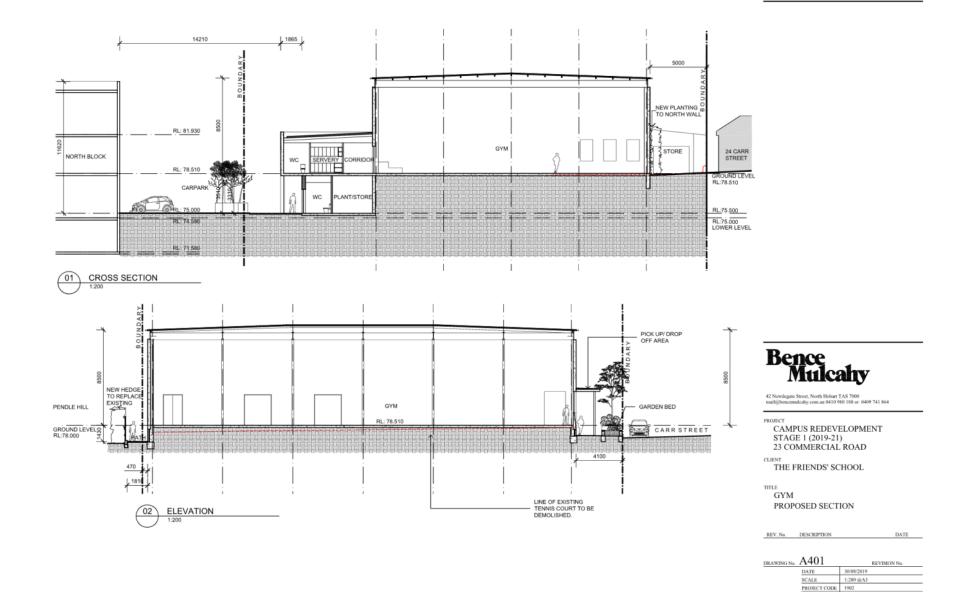
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PROJECT CODE	1902
APPROVAL.	DEVELOPMENT APPLICATION

APPROVAL DEVELOPMENT APPLICATION

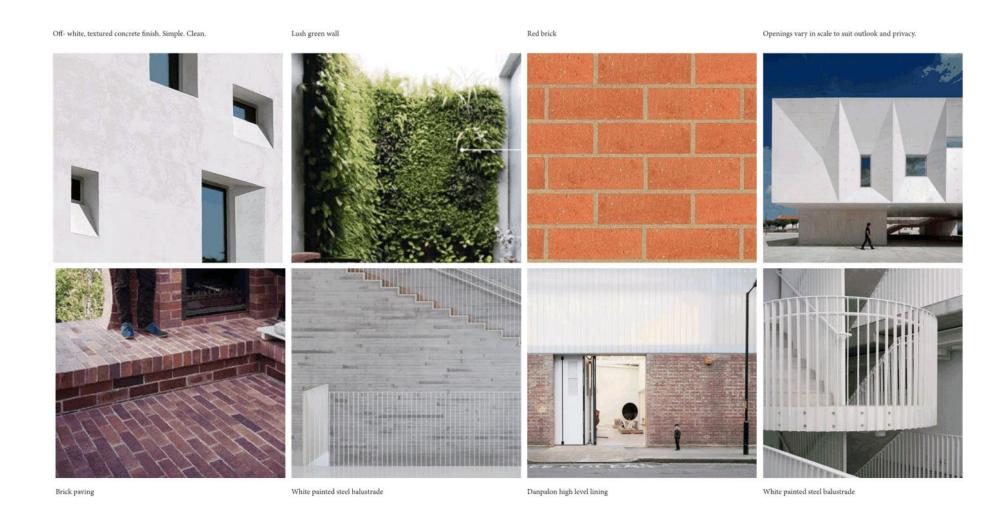
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### **Gym Material Selection**



### The Friends' School Signage Precedents

The Friends' School logo, The Farrall Centre





Detail of parapet mounted steel signage, The Farrall Centre













Wall mounted steel signage, The Farrall Centre

Detail of wall mounted steel signage, The Farrall Centre

Artist Impression 1 - Carr Street



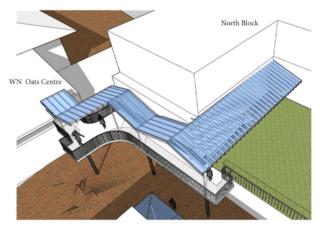
**Artist Impression 2 - Carr Street** 



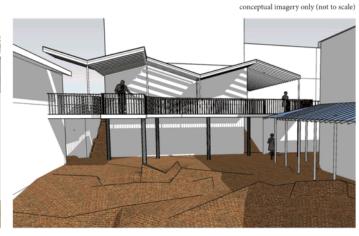
Artist Impression 3 - Carr Street



### Artist Impression -WN Oats Centre Walkway to North Block







southern side of new gym

carr street view

carr street view entry

Item No. 7.1.1

## Agenda (Open Portion) City Planning Committee Meeting - 14/9/2020

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ATTACHMENT B

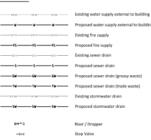
**Concept Servicing Plan** 

## THE FRIENDS SCHOOL CAMPUS REDEVELOPMENT STAGE 1

DWG	DRAWING TITLE	REV	ISSUE DATE
H001	DRAWING INDEX AND NOTES	В	17.12.19
H010	WN OATS CENTRE - LOWER ENTRY LEVEL	В	17.12.19
H011	WN OATS CENTRE - GROUND FLOOR	В	17.12.19
H012	GYMNASIUM - GROUND LEVEL	В	17.12.19
H013	GYMNASIUM - LEVEL 1	В	17.12.19



### LEGEND

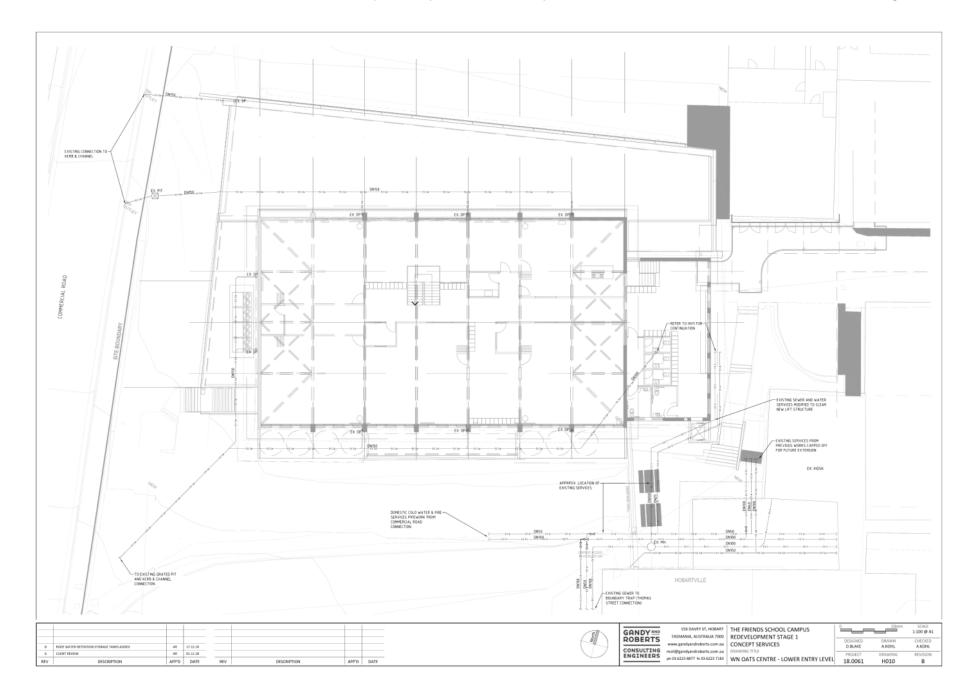


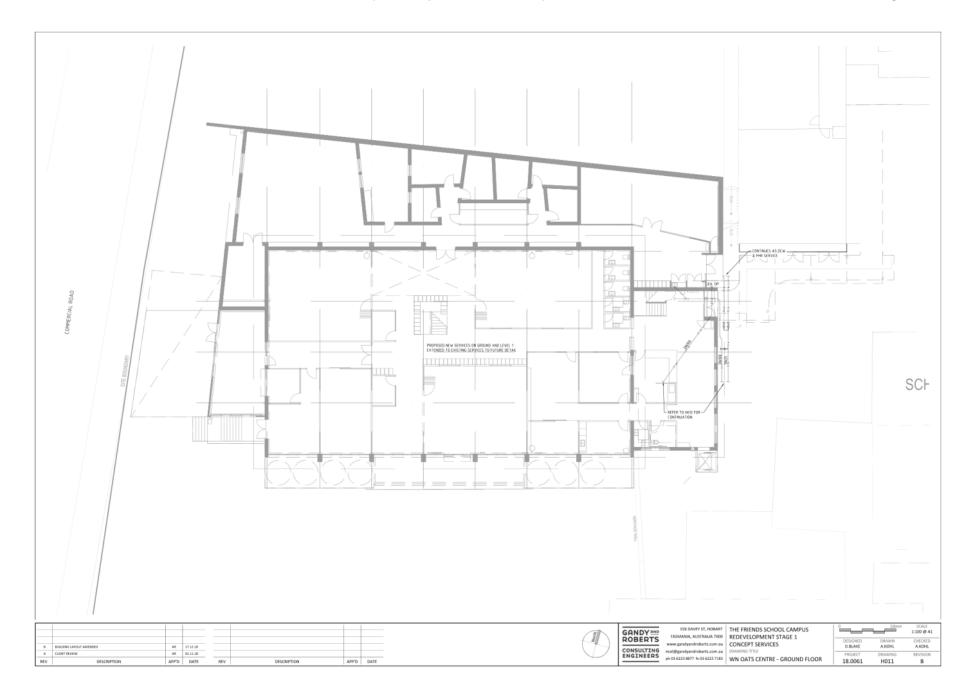
- 1								
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-1	В	UPDATED DRAWING INDEX	AR	17.12.19				
-1	A	CLIENT REVIEW	AR	01.11.18				
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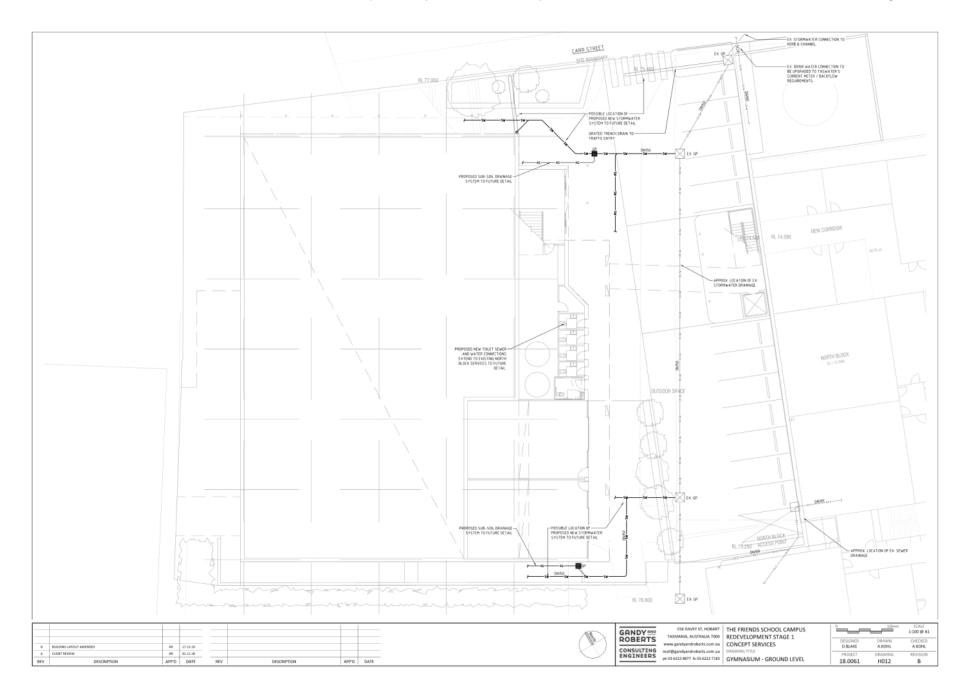
GANDY AND ROBERTS
CONSULTING

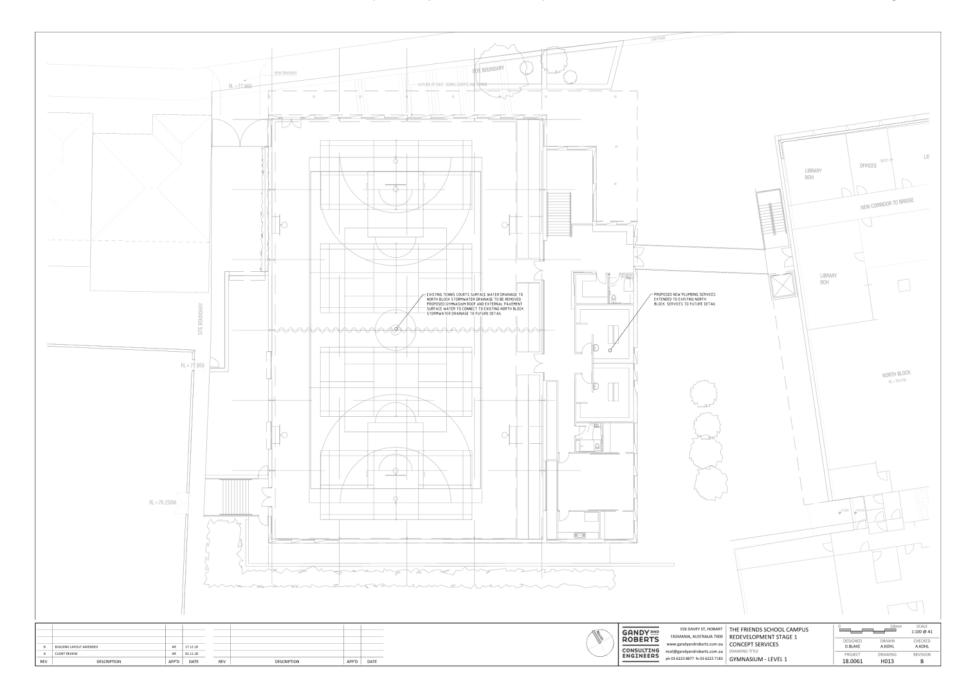
159 DAVEY ST, HOBART	THE FRIENDS SCHO
ASMANIA, AUSTRALIA 7000	REDEVELOPMENT
w.gandyandroberts.com.au	CONCEPT SERVICE
@gandyandroberts.com.au	DRAWING TITLE
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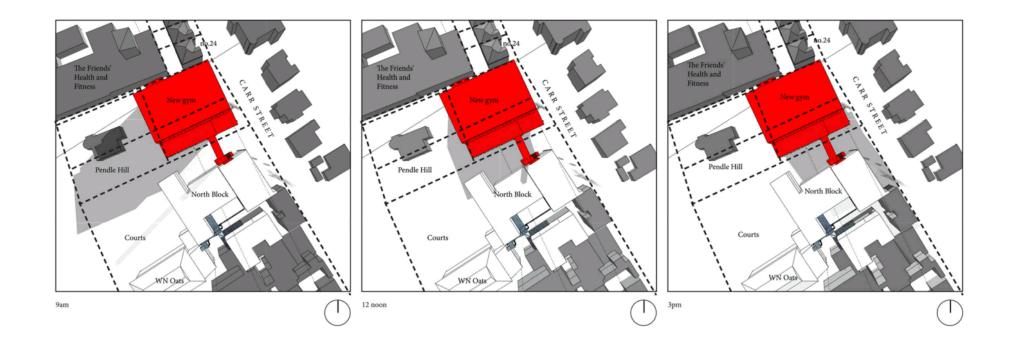






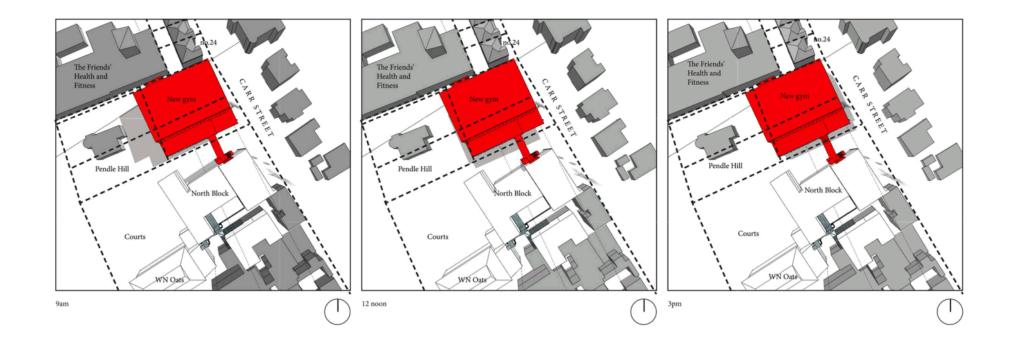
### Gym Sun Paths and Overshadowing

Winter Solstice 22nd June



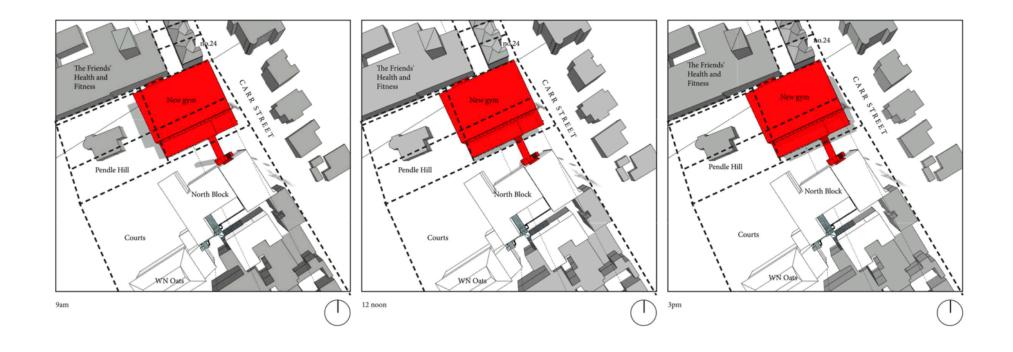
### Gym Sun Paths and Overshadowing

Equinox 23rd September



Gym Sun Paths and Overshadowing

Summer Solstice 22nd December



Item No. 7.1.1

## Agenda (Open Portion) City Planning Committee Meeting - 14/9/2020

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ATTACHMENT B

**Traffic Engineers Report** 



### The Friends' School

# Traffic Impact Assessment Report / Car Parking Layout



Prepared for
The Friends' School

Date January 2020 Prepared by Joanne Fisher

13 Willowdene Avenue Sandy Bay, 7005 Tasmania Australia

Fax +61 (0)3 6225 0619 Fax +61 (0)3 6225 0618 Email:info@howarthfisher.com

### Howarth Fisher and Associates

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Appendix A **Development Plans** Appendix B Autotrack paths

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### Howarth Fisher and Associates

	Name	Signature	Date
Authorised by:	Joanne Fisher	Spline	14 <sup>th</sup> January 2020

### 1. Introduction

### 1.1 Client Details

This document has been prepared for the following:

Client Name: The Friends' School
Address: 23 Commercial Road

PO Box 42 North Hobart Tasmania 7002

Client Mr Richard Apted

Contact:

### 1.2 Project Details

The report is undertaken for The Friends' School site, 23 Commercial Road, North Hobart, 7002.

A copy of the proposed development plans can be found at Appendix A.

### 2. Scope of Consultancy

The scope of consultancy involves the following:

- Obtain background information and site plans in CAD format.
- Undertake a site visit.
- Document parking provision changes and ensure that the design is fully compliant with AS2890.1: Off street parking 2004.
- Outline changes to parking considering Council requirement, and the existing situation.
- Outline trip rates (i.e. no change to staff or student numbers).
- Run Autotrack on the CAD plan to show the swept path of the school bus.
- Ensure access is compliant with AS2890.1: Off street parking 2004.
- Check sight distances.
- Document findings in a Traffic Impact Assessment report with car parking layout plan and Autotrack paths.

### 3. Location of the Development

Figure 1 shows the location of the proposed development in the context of the surrounding street network.



Figure 1: Location (source: Google Maps).

### 4. Existing Situation

### 4.1 Site Details

The site is located at 23 Commercial Road, North Hobart, the Friends' School Commercial Road campus, which is predominantly used by the senior school.

The Commercial Road campus forms one part of The Friends' School, the other campus is located at Argyle Street, North Hobart. This report focuses on the Commercial Road campus.

It has been advised that there are 556 students and 114 full time equivalent staff located on the Commercial Road campus.

### 4.2 Road Width

Carr Street is 10.1 metres wide with 2.2 metre wide footpaths.

Commercial Road is 7 metres wide with 1.5 metre wide footpaths.

### 4.3 Traffic Volumes

The traffic volume counts for Commercial Road and Carr Street have been requested from Hobart City Council as they both form part of the local council road network. The Annual Average Daily Traffic flow on Carr Street was 666 vehicles per day, in both directions. There were 95 vehicles counted on the 8am – 9am morning peak period and 57 vehicles in the evening peak period. This data was based on counts undertaken in 2016.

### 4.4 Posted Speed Limits

The speed limit along Commercial Road and Carr Street (the other road frontage in the vicinity of site is 50km/hr), the standard urban default speed limit. However, during school days a school zone is operational along Commercial Road and Carr Street when speed restriction reduces to 40km/hr on school days between 8am and 4pm.

### 4.5 Accident History

In line with standard traffic engineering, the accident history for the past five years has obtained from the Department of State Growth.

There have been two accidents on Commercial Road in the past five years. One involved 'other on path' of a vehicle and was a property damage only. The other circumstances were unknown.

There have been six accidents on Carr Street in the past five years. One was a parked car run-away, the second 'other on path', the third was defined as other manoeuvring, another involved parked vehicles only, the other involved a vehicle emerging from a driveway and the final accident involved vehicles travelling in the same lane.

### 4.6 Proposed Development

The proposed development comprises the relocation of the gym to the Carr Street frontage and the construction of a new classroom block on the Commercial Road frontage.

### 5. Assessment of Trip Generation

### 5.1 Existing and Proposed Trip Rates

There will be no changes to the staff and student numbers arising from this development. Therefore, there will be no change to trip generation rates as a result of the proposed redevelopment. The proposed development will just provide an improved facility for the existing students and staff at The Friends' School.

### 6. Assessment of Parking

### 6.1 Existing Situation

### 6.1.1 Carr Street

There are currently nine angled non-compliant parking bays located off Carr Street in the vicinity of the new gym site. These spaces are shown in the photograph below.



Photograph 1: Angled parking located off Carr Street in the vicinity of the existing classroom building.

In addition, there are six parallel bays located in the area adjacent to the existing tennis courts as shown in the photograph overleaf.



Photograph 2: Showing the parallel bays adjacent to the tennis courts located off Carr Street

There is a total of 15 spaces located off street in the vicinity of the new gym site. These spaces are not fully compliant with existing standards (AS2890.1) with aisles widths and turning provision for blind aisles being deficient.

### 6.1.2 Commercial Road

In addition, there are 33 off street spaces located on Commercial Road in front of the main The Friends' School Administration Building. These spaces exceed the requirements of the Australian Standards in terms of width. Most of the spaces were measured to be 2.8 metres in width.

There is therefore a total of 48 spaces located on the Commercial Road campus.

### 6.2 Parking Requirements

Given that the redevelopment will not result in any change to student or staff numbers it is not proposed that there be any change in the existing number of car parking spaces provided.

However, for completeness, the parking requirement based on the City of Hobart Interim Planning Scheme, 2015 are outlined below:

Table 4: Parking Requirements for Schools. (Source City of Hobart Interim Planning Scheme 2015).

Land Use	Parking Rates	Total Requirement	
Secondary School		76.38 employee	
	0.67 for each employee and a pick-up and set down area with space for each 30 students and 1 space for each 10 students over 17	O students ove	
556 students		Argyle Street	
114 FTE staff members		campus	
		18.5 pick up and	
		set down space	
		77 staff spaces	
Total		19 pick up and set down space	

Hobart City Council in cooperation with The Friends' School have provided a pick up and set down facility along the Carr Street school frontage which accommodates approximately 29 spaces over the Car Street frontage of 180 metres.

### 6.3 Proposed Parking Provision

Given there is a shortfall in parking, the development has been assessed against the performance criteria of the Hobart City Council Interim Planning Scheme. 2015.

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

(a) car parking demand;

The redesign of the parking will lead to three less staff parking spaces being provided off street. All the new proposed spaces are compliant with Australian Standards, compared to the existing non-compliant bays.

(b) the availability of on-street and public car parking in the locality;

There is a drop off and pick up zones which can be used by parents / visitors as well as time restricted parking zones along Carr Street and Commercial Road which can be used by shorter stay visitors to the school. The redesign of the street frontage along Carr Street by Council in recent years has led to an increase supply of on street parking.

 (c) the availability and frequency of public transport within a 400m walking distance of the site;

The closest bus stop is located on Elizabeth Street. There are several bus routes that travel past this stop daily, providing high frequency bus services. These routes provide a link between the City of Hobart bus mall and stops in the vicinity of the proposed development. The 500, 501, 502, 503, 504 510, 511, 512, 513, 520, 522 all operate along Elizabeth Street providing a link between Glenorchy and Hobart, operating to a 10 minute from 7am – 7pm weekdays, a twenty minute frequency service on Saturdays between 7am – 7pm and a 30 minute frequency service on Sundays and public holidays.

The Friends' School are working with Metro to possibly brand a bus shelter which may further encourage students and visitors to access the school by public transport given the proximity of the bus service to the Commercial Road site.

(d) the availability and likely use of other modes of transport;

There are no dedicated bicycle facilities that exist along Elizabeth Street. There are some on street bicycle lanes that exist on Argyle Street which form part of the Hobart City Council Bicycle network, which could be utilised by users of the site.

The area is well served with a good network of pedestrian paths.

(e) the availability and suitability of alternative arrangements for car parking provision;

In addition, there is a large supply of on street parking availability in the vicinity of the site which could be utilised by visitors to the school, given it is subject to time restriction which would suit shorter stay trips.

(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand

over time or because of efficiencies gained from the consolidation of shared car parking spaces;

The school are investigating the possibility of a car sharing application to encourage and facilitate staff sharing vehicles to travel to and from the school site. This will further seek to reduce the demand for car parking spaces at and around the school site.

(g) any car parking deficiency or surplus associated with the existing use of the land;

There is an existing deficiency at the school site.

(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;

#### N/A

 the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;

Howarth Fisher are unaware of any plans to provide additional parking facilities in the vicinity of the site.

(j) any verified prior payment of a financial contribution in lieu of parking for the land;

### N/A

(k) any relevant parking plan for the area adopted by Council;

### N/A

(I) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;

There are some buildings within the Friends' School site that on the Heritage Register. However, the car parking areas which are going to be redesigned are not in the vicinity of the heritage listed buildings.

(m) whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Code.

There are no significant trees listed at the proposed development location.

There are no changes to staff and student numbers arising from the redevelopment of The Friends' School site.

The proposed layout of the parking can be found in **Appendix B.** A car parking layout which addresses the shortfall in parking spaces arising out of the proposed gym relocation and construction of a new classroom block.

A 12 space car park, comprising 90-degree angled spaces located off Carr Street is proposed. The design is fully compliant with AS2890.1: Off street parking - 2004. There is therefore a loss of 3 off street spaces associated with the redesign and amalgamation of the existing parking areas located near the tennis courts on Carr Street. However, all the new proposed car parking spaces are compliant with current standards with clearances and a turning end bay associated with the proposed parking provision.

### 6.4 Dimensions and Manoeuvring

In line with AS2890.1: Off street parking - 2004, the staff parking bays are user class 1 parking bays for employee and commuter all day parking with dimensions of 2.4 metre x 5.4 metre with minimum 5.8 metre aisle for staff.

In line with the standards the visitor parking bays are typically user class 3, medium term parking which are 2.5 metres wide x 5.4 metres long with a 5.8 metre aisle width.

### 6.5 Accessible Parking Requirements

In accordance with the requirements of the Hobart City Council Interim Planning Scheme, 2015.

To ensure that a use or development provides sufficient accessible car parking for people with disabilities.

 ${\it A1 Car parking spaces provided for people with a disability must:}$ 

- a) Satisfy the relevant provisions of BCA.
- b) Be incorporated into the overall parking design.
- c) Be located as close as practicable to the building entrance.

In line with the requirements of the NCC 2015, BCA, Volume 1, Table D3.5. class 9B buildings, notably a school has a requirement for 1 accessible space for every 100 car parking spaces or part thereof.

One compliant space is provided within the car park design located off Commercial Road.

### 6.6 Motorcycle Parking

In line with the performance criteria, the number of on-site motorcycle parking spaces must be sufficient to meet the needs for likely users, having regard to all of the following as appropriate,

- a) Motorcycle parking demand
- b) The availability of on street and public motorcycle parking in the locality.
- c) The availability and likely use of other modes of transport.
- The availability and suitability of alternative arrangements for motorcycle parking.

Given there is no demand for motorcycle parking spaces no bays have been incorporated into the car park design.

### 6.7 Bicycle Parking

In line with the requirements of the City of Hobart's Interim Planning Scheme 2015, there is a requirement for 1 space for each 20 employees, which must as a minimum comprise a locked compound with communal access using a duplicate key.

Based on the staff numbers on the Commercial Road campus this equates to a locked compound which can accommodate 6 employee bicycles.

There is also a requirement of 1 space for each 10 students which must, as a minimum, be a facility to which a bicycle frame and wheel can be locked.

Based on the student numbers this equates to the provision of 56 bicycle parking facilities as outlined above.

Bicycle parking provision in line with this requirement will be provided at the Commercial Road campus at The Friends' School site as the masterplan is implemented.

### 7. Assessment of Access

### 7.1 Existing Situation Access Width

### 7.1.1 Carr Street

The existing access on Carr Street is 10 metres wide, providing access over two levels to the angled parking and the parallel parking area (located next to the tennis courts).



Photograph 3: Showing the 10 metre wide access on Carr Street.

### 7.2 Australian Standard Requirement

### 7.2.1 Classification of Off-Street Car Parking Facility

In line with Australian Standard AS2890.1 Off-street car parking facilities 2004, the class of the proposed parking facility is determined from the table 1.1 overleaf:

TABLE 1.1

TABLE 1.1 CLASSIFICATION OF OFF-STREET CAR PARKING FACILITIES

User class	Required door opening	Required aisle width	Examples of uses (Note 1)	
1	Front door, first stop	Minimum for single manoeuvre entry and exit	Employee and commuter parking (generally, all-day parking)	
IA	Front door, first stop	Three-point turn entry and exit into 90° parking spaces only, otherwise as for User Class 1	Residential, domestic and employee parking	
2	Full opening, all doors	Minimum for single manocuvre entry and exit	Long-term city and town centre parking, sports facilities, entertainment centres, hotels, motels, airport visitors (generally medium-term parking)	
3	Full opening, all doors	Minimum for single manoeuvre entry and exit	Short-term city and town centre parking, parking stations, hospital and medical centres	
3A	Full opening, all doors	Additional allowance above minimum single manoeuvre width to facilitate entry and exit	Short term, high turnov or parking at shopping centres	
4	Size requirements are specified in AS/NZS 2890.6 (Note 2)		Parking for people with disabilities	

From Table 1.1 the type of proposed parking facility is a user class 1 – employee and commuter car park.

In line with AS2890.1 to determine access driveway widths and restrictions on their location along frontage road table 3.1 categorizes driveways according to -

- a) the class of parking facility as shown is table 1.1;
- b) the frontage road type, either arterial (including sub-arterial) or local (including collector):and
- c) the number of parking spaces served by the access driveway

AS/NZS 2890.1:2004

TABLE 3.1 SELECTION OF ACCESS FACILITY CATEGORY

Class of parking facility (see Table 1.1)	_	Access facility category Number of parking spaces (Note 1)				
	Frontage road type					
		<25	25 to 100	101 to 300	301 to 600	>600
1,1A	Arterial	1	2	3	4	5
	Local	1	1	2	3	4
2	Arterial	2	2	3	4	5
	Local	1	2	3	4	4
3,3A	Arterial	2	3	4	4	5
	Local	1	2	3	4	4

- NOTES:

  When a car park has multiple access points, each access should be designed for the number of parking spaces effectively served by that access.

  This Table does not imply that certain types of development are necessarily suitable for location on any particular frontage read type. In particular, access to arterial roads should be limited as far as particules, and is some circumstances it may be preferable to allow left-turn-only movements into and out of the access driveway.

### 7.2.2 Carr Street

The Carr Street access makes provision for 12 vehicles and accesses out onto a local road. Therefore, it is classed as a category 1 driveway which has requirement to be between 3 - 5.5 metres. The proposed new access width is 6 metres wide and therefore exceeds this requirement.

### 7.3 Access Provision

The location of the access and egress points can be found on the plan at

### 8. Assessment of Sight Distance

### 8.1 Hobart City Council Interim Planning Scheme, 2015

In line with the requirements of the Hobart City Council Interim Planning Scheme, 2015, the safe intersection sight distance requirement specified for a road subject to a 50km/hr speed limit is 80 metres.



Photograph 7: Sight Distance at Carr Street towards the north is 60 metres.

The sight distance towards the north from the access was measured to be 60 metres and therefore is not compliant with this requirement.

Considering the deficiency in sight distance, the performance criteria outlined in E5.6.4 of the City of Hobart Interim Planning Scheme has been addressed.

The design, layout and location of an access, junction or rail level crossing must provide adequate sight distance to ensure the safe movement of vehicles having regard to:

a) The nature and frequency of the traffic generated by the use,

The car park is restricted to use by staff and therefore will be typically long term, low turnover parking. Furthermore, staff will be familiar users of the car park.

Notwithstanding the above, the sight distance exceeds the minimum SSD outlined in the AS2890.1: Off street parking 2004 which states a sight distance requirement of 45 metres is required on a road subject a 50km/hr speed limit.

b) The frequency of use of the road or rail network.

The road is subject to a low traffic volume. Data obtained from the Hobart City Council showed a daily traffic count of 666 vehicles along Carr Street.

c) Any alternative access

There is no alternative access into the car park.

d) The need for the access, junction or level crossing

The car park provides essential off-street parking for staff and minimises the impact of the school on the surrounding predominantly residential street network.

e) Any Traffic Impact Assessment

N/A

f) Any measures to improve or maintain sight distance

N/A

g) Any written advice received from the road authority.

N/A



Photograph 8: Sight Distance at Carr Street towards the south is 164 metres.

The sight distance towards the south along Carr Street exceeds the requirements of the safe intersection sight distances of 80 metres outlined in the Hobart Interim Planning Scheme, 2015.

### 8.2 Pedestrian Sight Distance

In line with the requirements of the Australian Standards 2890.1: Off street parking 2004, the pedestrian sight distance has been assessed in relation to Figure 3.3: Minimum Sight Lines for Pedestrian Safety.

In accordance with this requirement a 2.5 metre x 2 metre pedestrian splay has been provided.

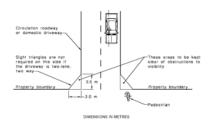


FIGURE 3.3 MINIMUM SIGHT LINES FOR PEDESTRIAN SAFETY

The Carr Street access provides the pedestrian splay as indicated in Figure 3.3 of AS2890.1: Off street parking 2004 and is therefore compliant with this requirement.

### 9. Service Vehicles

Autotrack has also been used to model the swept path of a Toyota Coaster bus into the service bay area located on Carr Street. The results of the Autotrack paths are shown in **Appendix B** of this report.

### 10. Sustainable Transport

#### Buses

There are several high frequency bus services which operate in the vicinity of The Friends' School.

These are the 500 - 522 services and the 722 service which all operate along Elizabeth Street and the X42 service which operates along Argyle Street.

These are high (10 minutes) frequency bus services operating 7am – 7pm weekdays which provide a link between the City of Hobart bus mall and stops in the vicinity of The Friends' School and Glenorchy and other Northern suburbs.

### Pedestrians

There is a good network of pedestrian footpaths in the vicinity of The Friends' School. Footpath widths on Carr Street were measured to be 2.2 metres wide whilst the footpath width on Commercial Road was measured to be 1.5 metres.

Carr Street and Commercial Road are both low volume roads which are conducive in providing a safe road environment for pedestrians. The roads are subject to a 40km/hr school zone restriction which operates between 8am-4pm on school days.

### Cyclists

There are no dedicated bicycle facilities that exist along Elizabeth Street. There are some on street bicycle facilities that exist on Argyle Street which form part of the Hobart City Council Bicycle network.

Bicycle parking facilities have been provided at The Friends School site in line with this requirement of the City of Hobart's Interim Planning Scheme, 2015.

### 11. Conclusion and Recommendation

The proposed development has been assessed in relation to the following:

#### Trip Generation

There will be no change to trip generation rates arising from the proposed redevelopment given that there will be no change to the staff and student numbers at The Friends' School site.

#### Parking

The new car parking area have been redesigned to maximise the car parking provision and provide a fully compliant design. The redesign involves the removal of non-compliant spaces for staff parking off Carr Street. There is an overall reduction of three car parking spaces.

The school is implementing strategies to facilitate car sharing, via the use of a car sharing app, thereby reducing the demand for staff parking at the Friends' School site.

### Sight Distance

The sight distances at the accesses have been assessed against the acceptable solution and the performance criteria contained within the City of Hobart Interim Planning Scheme, 2015.

The access on Carr Street has inadequate sight distance to the north assessed against the Safe Intersection Sight distance criteria set out in the City of Hobart Interim Planning Scheme 2015. However, it is an existing access (without any accident history) and exceeds the minimum requirement for access driveways sight distances stipulated in AS2890.1: off street parking 2004. Furthermore, the staff numbers are low turnover, long stay parkers who will be familiar with the access. The provision of the turning head that has been incorporated into the new Carr Street car park will remove the requirement of vehicles to reverse out as currently occurs.

Sight distances in both directions on Commercial Road are fully compliant with the City of Hobart Interim Planning Scheme 2015, as they exceed the sight distance requirement of 80m.

### • Service Vehicles

The autotrack paths of the bus using the Carr Street bus bay is located at  $\bf Appendix\; B$  of this report.

### • Sustainable Transport Modes

#### Buses

There are several high frequency bus services which operate in the vicinity of The Friends' School. Four bus routes in total give high frequency services (10 minutes), which operate from 7am-7pm weekdays, and provide a link between the City of Hobart bus mall and stops in the vicinity of The Friends' School.

### Bicycles

There are some on street bicycle facilities that exist on Argyle Street which form part of the Hobart City Council Bicycle network, which is the vicinity of the Friends' School site.

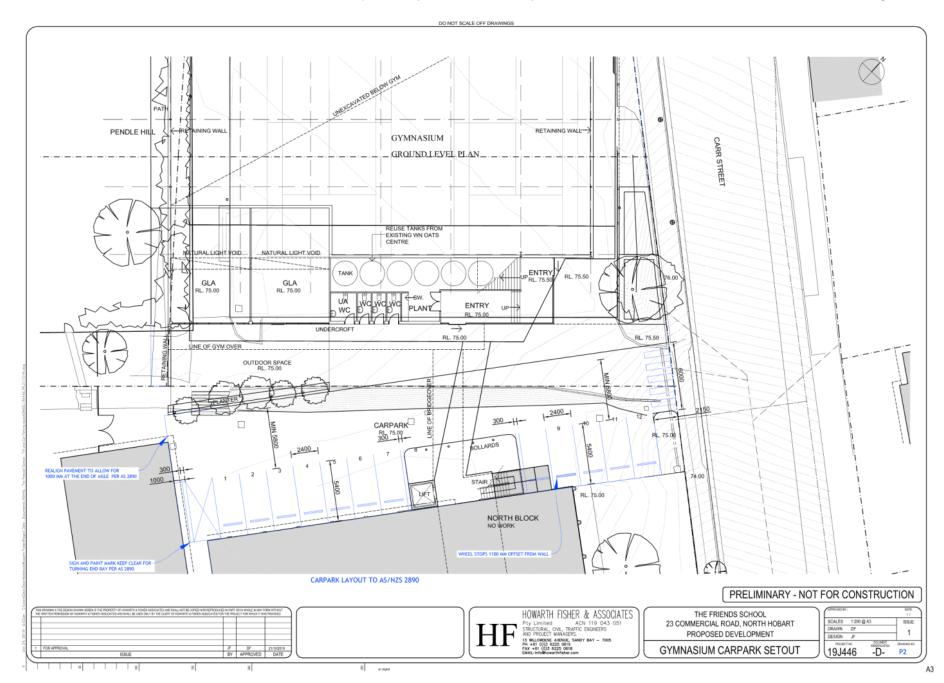
Bicycle parking facilities have been provided at the Friends School site in line with this requirement of the City of Hobart's Interim Planning Scheme, 2015.

#### Pedestrians

There is a good network of pedestrian footpaths in the vicinity of The Friends School. Footpath widths on Carr Street were measured to be 2.2 metres wide whilst the footpath width on Commercial Road was measured to be 1.5 metres.

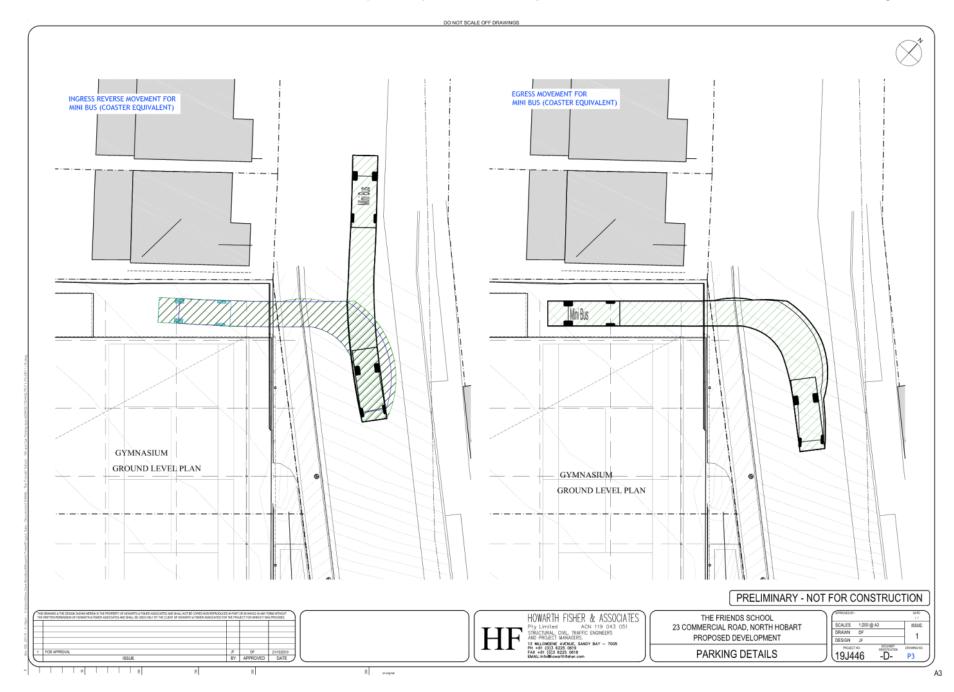
Appendix A

CAR PARKING LAYOUT PLANS FOR CARR STREET



Appendix B

**AUTOTRACK PATHS** 





Bence Mulchay 42 Newdegate Street North Hobart, TAS 7050

26 February 2020

Doc 6061 02

Attention: Shamus Mulchay

### THE FRIENDS SCHOOL REDEVELOPMENT — NOISE EMISSIONS

A redevelopment of the Commercial Road campus of The Friends School is being pursued and this letter provides an acoustic opinion of the likely impact of noise emissions from the development on surrounding uses. The opinion is based on the DA drawing set dated December 2019 from Bence Mulchay.

### 1. THE DEVELOPMENT

The works proposed in the drawings are the repurposing of the WN Oats building for teaching (currently a gymnasium), and constructing a new gymnasium at the location of the current tennis courts.

The following is understood by NVC from the drawings:

- Mechanical plant for the The WN Oats building is to be located externally in the southern corner
  of the building on level 01. A balustrade to the nominal height of the plant will be constructed
  along the external walls.
- Mechanical plant for the gymnasium is to be located within an internal room at ground level on the down hill side of the building.
- The gym will be of masonry construction with low level glazing units on the Carr Street wall, and a high level glazing strip around the entire perimeter of Danpalon polycarbonate.

The proposed use of the gymnasium is understood to be:

- For school activity during school hours, as is currently occurring in the WN Oats. Typically 8.30am to 4pm.
- For school Co-Curricular and community use on weekdays.
- Operations 7 days a week.
- These activities replace the current use of the outdoor tennis courts which operate over the same time periods.
- Up to 100 spectators may be in the gym.

The noise emissions from the site, and who they may impact, are potentially:

- Mechanical plant noise from WN Oats and the residents at 34, 36 Commercial Road.
- Mechanical plant from the gymnasium effecting residents at 15, 17 Carr street.
- · Activity within the Gymnasium effecting residents at 19, 21, and 24 Carr street.

As the gym plant is internal to a masonry building it is considered to have no impact on surrounding residents and considered no further.

### 2. Noise Criteria

The development is within the Hobart Interim Planning Scheme Inner Residential Zone and hence 11.3.1 defines acceptable noise emissions for non-residential use and states:

NVC PTY. LTD. ABN 53 626639 521 T. 6244 5556 PO Box 476, Rosny Park, TAS 7018



THE FRIENDS SCHOOL REDEVELOPMENT

" Noise emissions measured at the boundary of the site must not exceed the following:

- a. 55 dB(A) (LAeq) between the hours of 8:00 am to 6:00 pm;
- b. 5 dB(A) above the background (LA90) or 40 dB(A) (LAeq), whichever is the lower, between the hours of  $6:00~\rm pm$  to  $8:00~\rm am$ ;
- c. 65 dB(A) (LAmax) at any time..."

The criteria are then likely to be: 8:00 am to 6:00 pm 55 dBA 6:00 pm to 8:00 am 40 dBA

#### 3. SITE NOISE EMISSIONS

The following comments are relevant with regard noise emissions from the Gymnasium use and WN Oats mechanical plant:

#### WN Oats

- The plant space balustrade will provide effective acoustic screening to residential dwellings on Commercial Road.
- The WN Oats wall behind the plant may have an acoustic lining such as Stratocell Whisperlite to limit reflected noise breaching the balustrade barrier.

#### Gymnasium

- The masonry construction provides excellent sound attenuation for the types of internal noises expected (whistles, raised voices). Sound transmission through the masonry construction will be negligible.
- The weakest sound transmission path will be via the Carr street glazing or the high level Danpalon glazing.
- The Carr street low level glazing will be double glazing with of nominal area 20m² and an estimated Rw of 40 (10mm/ 12mm gap/ 6mm lam). The Danpalon has a nominal area of 14m² and an Rw of 25. Combining area and Rw makes the Danpalon the critical transmission path.
- Measured gym noise during a futsal game showed an Leq15 of 76 dBA inside a gymnasium. For this development this would translate to a level on the residential boundary of 19 Carr street of 31 dBA via the Danpalon. At 24 Carr street it would be 35 dBA.

### 4. Conclusions

Two noises are indicated as relevant in assessing the likely impact the current re development at The Friends School will have on surrounding residents. Those residents are in Commercial road where the WN Oats plant noise is the only noise source, and in Carr street where it is noise from internal use of the gymnasium that is the only noise source.

For the plant noise there is sufficient scope for noise mitigation with a balustrade and absorptive finish to walls surfaces to render ints noise emissions acceptable on the far side of the street.

For the gymnasium the high level Danpalon glazing feature is the critical sound transmission path, and typical gym noise levels are indicated as being below 40 dBA so acceptable at adjacent residents.

It is therefore concluded acceptable noise emissions from the redevelopment may be achieved with standard design practices.

Should you have any queries, please do not hesitate to contact me directly.

Kind regards

Bill Butler

HOISE VIBRATION CONSULTING

Doc 6061\_01 PAGE 2 OF 2



20th April 2020

Mr Ben Ikin Senior Statutory Planner Hobart City Council GPO Box 503 HOBART TAS 7001

#### Re: Request For Additional Information PLN- 20-197

Dear Ben,

In response to the request for additional information dated 7th April in relation to the proposed new development at The Friends' School campus at 23 Commercial Road (PLN- 20-197) we offer the following:

#### TW1- Taswater

Please refer to the attached information prepared by Gandy and Roberts, our hydraulic and civil engineers in response to the Taswater request.

PLN Fi1- Setback and Building Envelope
The setback and building envelope information is noted on the updated drawing A303 provided.

In a similar manner to the front facade, the proposed development protrudes outside the building envelope line. This is inherent in the building form due to the 7.5m minimum floor to ceiling height (clear) required in the gymnasium space (basketball standards) and the need for the North East corner of the gymnasium to have level access with the footpath along Carr Street therefore setting the gym floor level.

PLN Fi2- Signage Projection to Carr Street Elevation
The x2 signage zones marked on the Carr Street elevation are designated to accomodate the school logo/crest and the building name (yet to be decided). The logo would be fixed directly to the facade and building name signage will be fixed a maximin of 100mm off the facade (simply to provide some shadow and depth).

The DA submission under the section marked Signage Precedents (page 35) contains photographs of the schools standard crest and preferred signage type for new buildings. It is proposed that the new signage will generally match this is scale, materiality, font and detail. Other school buildings already adopt this crest and signage specification.

Further to this our artist impressions in the DA submission also provide an accurate representation of the signage type and look, but not the actual wording.

The school will be considering a name for this building and we would be happy to provide this as a condition to the DA should council consider it appropriate.

PLN Fi3- Hours of Operation on Weekends
The school proposes that the new gymnasium will operate during similar hours to the current gymnasium, it replaces (the WN Oats Centre). The school is therefore seeking approval for the proposed gym to potentially operate between the hours of 9:00am and 8:00pm on Saturdays and Sundays.

We note that it is intended that the intensity and frequency of activities within these hours of operation are not to change to that already currently being undertaken on the site and as it is currently the case, much of the time during these periods, the facility will not be being used.

**HER1- Heritage Impact Assessment**A heritage impact assessment is currently being undertaken and we will provide this information as soon as it can be completed.

#### **ENG Fi1- Carr Street Crossovers**

The updated plans attached incorporate the requested information in relation to the existing/proposed

We trust that this additional information addresses the queries outlined in the Request for Additional Information. Please do not hesitate to contact us if this is not the case or if there are any further queries.

Yours sincerely.

Shamus Mulcahy



Enquiries to: City Planning
Phone: (03) 6238 2715
Email: coh@hobartcity.com.au

mailto: rapted@friends.tas.edu.au

7 April 2020

(The Friends' School) 23 Commercial Road NORTH HOBART TAS 7000

Dear Sir/Madam

23 COMMERCIAL ROAD, NORTH HOBART
PARTIAL DEMOLITION, ALTERATIONS, EXTENSION, NEW BUILDING FOR
EDUCATIONAL AND OCCASIONAL CARE (GYMNASIUM), SIGNAGE AND
ASSOCIATED WORKS
APPLICATION NO. PLN-20-197

I refer to the above planning permit application received on 30 March 2020.

Under section 54 of the Land Use Planning and Approvals Act 1993, you are required by the Council to provide the following additional information and submit it in electronic (PDF) format:

#### **TasWater**

TW1

Information to satisfy the enclosed additional information request from TasWater (TasWater Reference No. TWDA 2020/00416-HCC dated 06/04/2020). To discuss these points please call TasWater on 13 6992. Please note that all additional information intended to satisfy these points should be submitted to the City of Hobart, not TasWater. Please submit the information through the City of Hobart online services development portal. Additional information submitted in any other way will not be accepted.

### Planning

PLN Fi1 To enable the Council to assess the application against the development standards for buildings and works – setback and building envelope of the Inner Residential Zone of the Hobart Interim Planning Scheme 2015, please amend the South-Western Elevation (03) of the proposed Gym to include the acceptable building envelope, as has been shown for the opposite, North-Eastern (Carr Street) Elevation (01).

Hobart Town Hall 50 Macquarie Street Hobart TAS 7000 Hobart Council Centre 16 Elizabeth Street Hobart TAS 7000 City of Hobart GPO Box 503 Hobart TAS 7001

T 03 6238 2711 F 03 6234 7109 E coh@hobartcity.com. GityofHobartOfficial

ABN 39 055 343 428

Hobart City Council

PLN Fi2 To enable the Council to assess the application against the Signs Code of the Hobart Interim Planning Scheme 2015, please provide:

> Clarification of the extent of projection from the wall of the two signs proposed for the Carr Street Elevation.

Note: the area of the signs is currently being considered as that of the two rectangular shapes shown on the elevation. The actual area could however be reduced if the signs were instead measured simply by the extent that they cover the wall, i.e each individual letter and the logo parts. You may wish to provide a scaled diagram of the proposed signs in order that their areas be accurately measured for assessment.

PLN Fi3 To enable the Council to assess the application against the non-residential use Inner Residential Zone and of the *Hobart Interim Planning Scheme 2015*, please provide:

1. Clarification as to whether the written documentation is intended to state that the 4:00pm to 8:00pm hours of operation by (after school hours) school and community groups are intended to apply to both weekdays and weekends. If not, what are the proposed weekend hours of operation?

### Heritage Code

To enable the Council to assess the application against the relevant provisions of the Historic Heritage Code of the *Hobart Interim Planning Scheme 2015* please provide:

HER Fi It is understood that The Friends' School commissioned a Conservation

Management Plan (CMP) for the site by Paul Johnston. Provide a copy of the latest version of the CMP for the site and provide a brief assessment in the form of a Heritage Impact Assessment (HIA) given that the W N Oates Centre is part of a heritage listed site in table E13.1 of the Historic Heritage Code of the Hobart Interim Planning Scheme 2015. The HIA must assess the proposal against the relevant provisions of the Historic Heritage Code of the Scheme.

Advice: Any future Development Applications for the school site must be accompanied by a HIA and the CMP with a brief explanation as to how the proposal complies with the relevant provisions of the Historic Heritage Code of the Scheme.

### Roads - Driveway

To ensure that the Council's road infrastructure is protected please provide:

Hobart Town Hall 50 Macquarie Street Hobart TAS 7000 Hobart Council Centre 16 Elizabeth Street Hobart TAS 7000 City of Hobart GPO Box 503 Hobart TAS 7001

T 03 6238 2711 F 03 6234 7109 E coh@hobartcity.com.a CityofHobartOfficial

ABN 39 055 343 428
 Hobart City Council

- ENGr Fi 1. State on plan that driveway crossover within Carr Street highway reservation will be reduced to match the width of the new access.
  - State on plan that redundant section of driveway crossover within Carr Street highway reservation will be reinstated to kerb and channel (KC) in accordance with TSD-R14-v1.

Please submit your additional information through the City of Hobart online services development portal. Additional information submitted in any other way will not be accepted.

Please note that if the additional information is lodged by 5:15pm on a day that the Council is open for business, the information will be accepted on that day. In any other case, the information will be accepted on the next day the Council is open for business.

Under the Act, the Council has 42 days to determine your application (excluding the period from the date of this request until the information is received to the Council's satisfaction).

You may appeal to the Resource Management and Planning Appeal Tribunal against this request within 14 days from the day on which this notice was served on you.

Please also note that the additional information must be received to the Council's satisfaction, within two years of the request being made, otherwise the application will lapse in accordance with section 54(2AA) of the Land Use Planning and Approvals Act 1993.

Please telephone Cameron Sherriff on (03) 6238 2742 if you have any queries regarding this letter.

Yours faithfully

(Ben Ikin)

SENIOR STATUTORY PLANNER

CITY PLANNING



#### **Request for Additional Information**

For Planning Authority Notice

	_	•			
Council Planning Permit No.	PLN-20-197		Application date	31/03/2020	
TasWater details					
TasWater Reference No.	TWDA 2020/00416-HCC		Date of response	06/04/2020	
TasWater Contact	Sam Bryant Phone No.		(03) 6237 8642		
Response issued to					
Council name	HOBART CITY COUNCIL				
Contact details	coh@hobartcity.com.au				
Development de	tails				
Address	23 COMMERCIAL RD, NORTH HOBART Property ID (PID) 5492470			5492470	
Description of development	Partial Demolition, Alterations, Ext New Building for Educational and C Care (Gymnasium), Signage and As Works	Stage No.			

Additional information is required to process your request. To enable assessment to continue please submit the following:

- 1. To allow TasWater to determine potential hydraulic service capacity limitations, please provide the following: (delete where not applicable)
  - a. Approximate increase in E.T calculations for water and sewer for the existing and proposed development
  - b. Probable simultaneous water demand (PSD) for the existing + proposed development;
     c. The required fire flow rate in L/s (if any hydrants) and the required residual pressure
  - (kPa) at the point of connection. (Number of fire hose reels to be installed to ensure minimum flow rates can be achieved)
- 2. TasWater requires a concept servicing plan to be submitted which shows the location (either suitably dimensioned or by notation) and suitable details of proposed or modified water connections & water meter sets.

TasWater records indicate the site has several water connections, if the proposal includes linking domestic (and fire?) water supplies from Carr St to Commercial Rd both water meter sets will require  $upgrading\ to\ current\ TasWater\ standards\ if\ not\ to\ standard\ already.$ 

#### Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of infrastructure as shown on the GIS is indicative only.

- A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.
- Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies



- TasWater will locate residential water stop taps free of charge
  Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

- To view our assets, all you need to do is follow these steps:

  1) Open up webpage http://maps.thelist.tas.gov.au/listmap/app/list/map

  2) Click 'Layers'

  3) Click 'Add Layer'

  4) Scroll down to 'Infrastructure and Utilities' in the Manage Layers window, then add the appropriate layers.

  5) Saarch for property:
- 5) Search for property
  6) Click on the asset to reveal its properties

Authorised by Marylo

Jason Taylor

**Development Assessment Manager** 

TASWATER CONTACT DETAILS					
Email	development@taswater.com.au	Web	www.taswater.com.au		
Mail	GPO Box 1393 Hobart TAS 7001				

# THE FRIENDS SCHOOL CAMPUS REDEVELOPMENT STAGE 1

DWG	DRAWING TITLE	REV	ISSUE DATE
H001	DRAWING INDEX AND NOTES	C	20.04.20
H010	WN OATS CENTRE - LOWER ENTRY LEVEL	С	20.04.20
H011	WN OATS CENTRE - GROUND FLOOR	В	17.12.19
H012	GYMNASIUM - GROUND LEVEL	C	20.04.20
H013	GYMNASIUM - LEVEL 1	В	17.12.19



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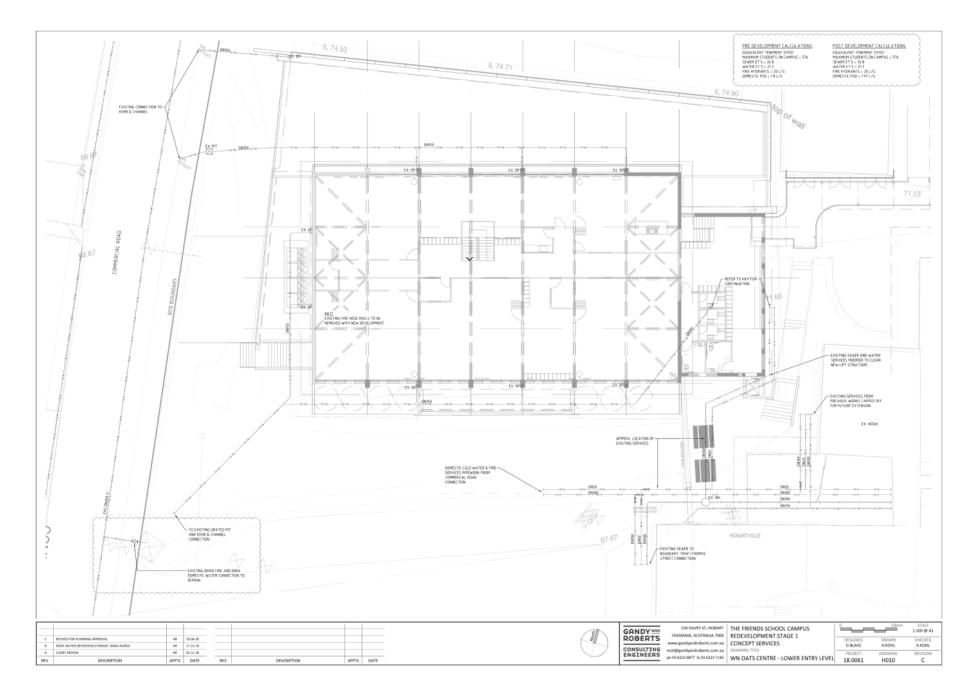
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-1								
-1	С	UPDATED DRAWING INDEX	AR	20.04.20				
-1	8	UPDATED DRAWING INDEX	AR	17.12.19				
-1	A	CLIENT REVIEW	AR	01.11.18				
1	REV	DESCRIPTION	APP'D	DATE	REV	DESCRIPTION	APP'D	DATE

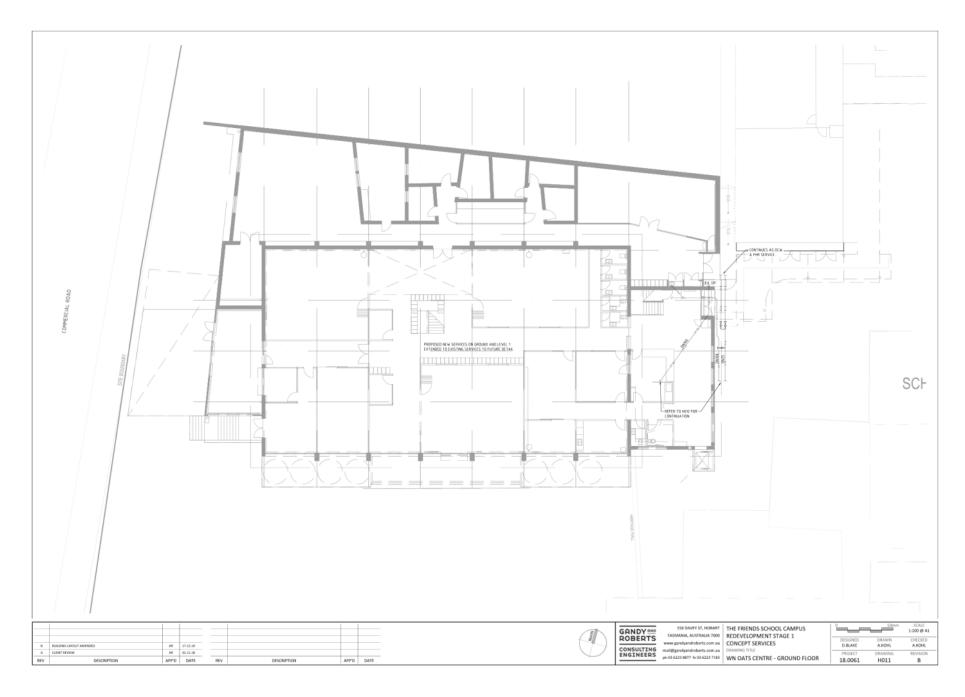
GANDY AND ROBERTS
CONSULTING ENGINEERS

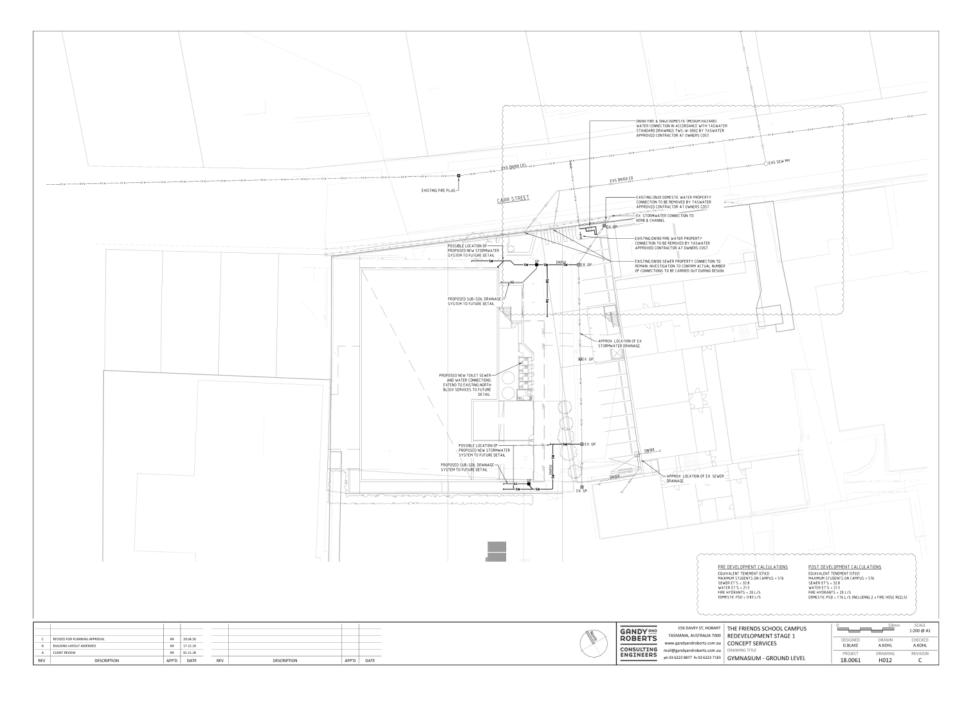
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SMANIA, AUSTRALIA 7000	REDEVELOPMENT STAGE
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Pgandyandroberts.com.au	DRAWING TITLE
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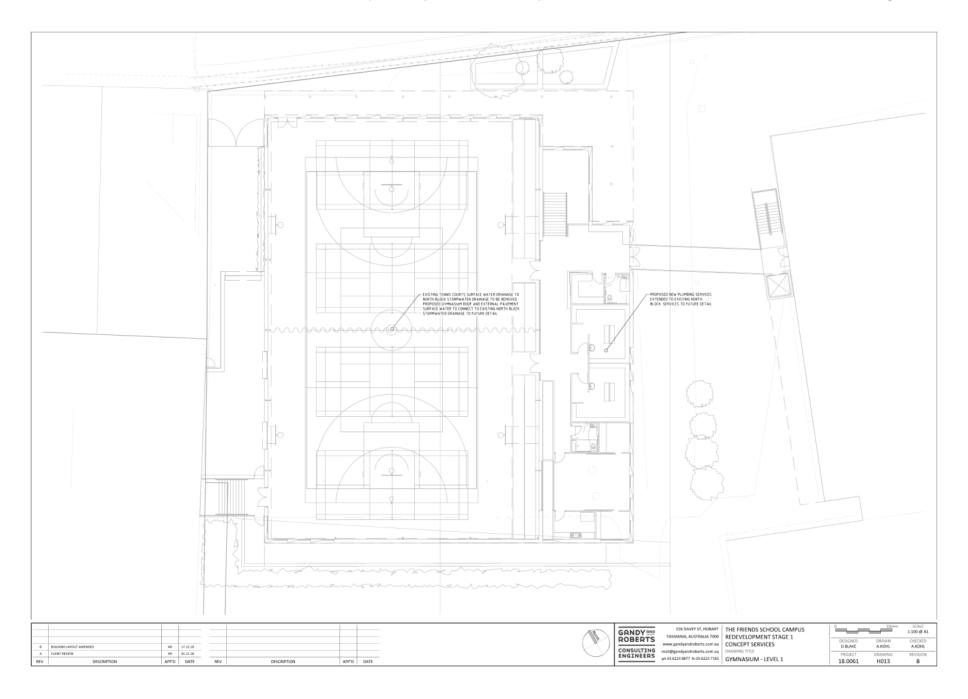
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Page 184









THE FRIENDS' SCHOOL 23 COMMERCIAL ROAD, NORTH HOBART HERITAGE IMPACT ASSESSMENT, REVISION A 14 MAY 2020

PURCELL 🗍

Purcell GPO Box 37 Hobart TAS 7001 Australia lucy.burke-smith@purcellau.com +61 (0)415 423497

www.purcellap.com

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Nominated Architect (Tas): Lucy Burke-Smith ARN 898 CC 6606.

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PURCELL

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#### INTRODUCTION

#### BACKGROUND

This Heritage Impact Assessment (HIA) has been prepared for The Friends' School to review and assess the proposed development of the Commercial Road Campus, located at 23 Commercial Road, North Hobart (the Site). The Site is listed on the Tasmanian Heritage Register (THR) with Place ID 2810 (Friends' School Commercial Road Campus CPR 10204). This listing is for part of the Site accounting for the following

- Lot Ibeing the whole of Tritles I30044/I and I12673/I6, the site of Pendle Hill;
  Lot 2 being part of Title 53529/I.

In addition to the above THR listing, the place is identified in Table E13.1 of the Hobart Interim Planning Scheme 2015 (HIPS - Ref No. 717). This listing accounts for the entirety of Title 53529/I.

The Site is not in a Heritage Precinct but is immediately adjacent Precincts NH2, NH3 and NH4 of the HIPS.

This assessment has reviewed the proposed works as detailed in the following plans and documents:

The Friends' School Campus Redevelopment WN Oats Centre and Gym Development Application 20th March 2020 as prepared for Planning Permit Application (PLN-20-197)

Lucy Burke-Smith, Associate and Linda Mott, Assistant Heritage Consultant of Purcell have prepared this report with overview by Tracey Skovronek, Regional Partner. It has been informed by a desk-based study and physical inspection undertaken Monday 27 April 2020.

#### LIMITATIONS

This HIA is limited to an assessment of the potential impacts of the proposal to the setting, context and significant fabric of the subject property. The report does not consider the potential landscape, sub-surface, archaeological or indigenous heritage impacts of the proposal. restoration or reconstruction.

THE SITE

The Site is located at 23 Commercial Road, Hobart and consists of the following titles:

- Lot I on Diagram 53529
   Lot I 6 on Plan 112673
   Lot I on Plan 12683
   Lot I on Plan 130044 and
   Lot I on Plan 13045

The Site has street frontages to Commercial Road and Carr Street.

The site and surrounds were inspected on 27 April 2020 for the preparation of this Heritage Impact Assessment.



STATUTORY LISTING

HISTORIC CULTURAL HERITAGE ACT (TAS) 1995

The Place is permanently registered as a place of heritage significance to the State of Tasmania

The Place is listed on the Tasmanian Heritage Register with a Tasmanian Heritage Register ID 2810 (Friends' School Commercial Road Campus, CPR 10204). It was permanently registered in 1998.

This listing includes the following two Lots:

- Lot 1 being the whole of Titles 130044/1 and 112673/16, the site of 'Pendle Hill' (A) shown on Figure 2)
  Lot 2 being part of Title 53529/1, including 'Hobartville' (B), Hodgkin Hall (C) School Block (D) and the Student Centre (E) shown on

For clarity the proposed works forming Planning Permit Application (PLN-20-197) fall outside of the listed boundary for the place and as such approval is not required under the Historic Cultural Heritage Act (Tas) 1995.

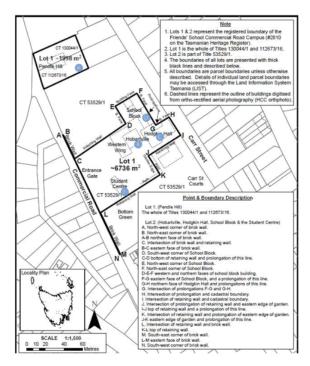


Figure 2 THC datasheet extract showing: A - Pendle Hill; B - Habartville; C - Hodgkin Hall; D - School Black; E - the Student Centre (Source CMP Appendix, ame Purcell).

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#### STATUTORY LISTING

HOBART INTERIM PLANNING SCHEME 2015

The Site is identified in Table E13.1 of the Hobart Interim Planning Scheme 2015 (Ref No. 717). This listing accounts for the entirety of Title 53529/1.

The general description from Table E13.1 is:

including wall and gates, Hobartville, Pendle Hill (Blair Logie), and Bernard Walker buildings (Also includes that part of the address previously known as 433 Elizabeth Street)<sup>10</sup>

The Site does not sit within a Heritage Precinct, but is immediately adjacent Precincts NH2, NH3 and NH4 of the Planning Scheme. (as shown in Figure 3).



Figure 3 Location plan with the Site indicated in red. The area hatched in purple indicates the extent of the Heritage Precincts, including Heritage Precincts NH2, NH3 and NH4 of the Hobart Interim Planning Scheme 2015. (Source: www.maps.thelist.tas.gov.au, amended

Within the adjacent NH2 heritage precinct the group of residences immediately adjacent the upper level tennis courts (24-30 Carr Street) are considered an important group of four painted brick Federation cottages and are contributory to the area's heritage character.

#### OTHER REGISTERS

The site is not recognised through its inclusion on the Register of the National Trust of Australia, or the Register of the National Estate, both

01 Hobart Interim Planning Scheme 2015

Purcell | 07

**DESCRIPTION & SIGNIFICANCE** 

SITE DESCRIPTION

The Friends School Commercial Road Campus is in the Local Government area of Hobart. The Campus grounds slope down from the top of the hill at the junction of Commercial Road and Elizabeth Street to the south east. The site lies between Commercial Road and Carr Street. It contains numerous buildings, covered ways, courtyards, sports courts, a car park, and grassed and paved open areas.

The Campus grounds were part of the original Hobartville Estate, which was originally owned by David Lord and known as 'Lords Hill'. Lord gave the land to his daughter Grace on her marriage to William Wilson. William and Grace had a large house built between cl832 and cl834 and named the house and the estate 'Hobartville'. When the estate was subdivided in 1885, The Friends' School purchased the four acres containing Hobartville, its outbuildings, tennis court and orchard. Set the Company of the



The upper level of the school contains Pendle Hill and two basketball courts facing Elizabeth Street, and two tennis courts and the North Block facing Carr Street.

Pendle Hill was built in the late 1800s. It is set within a substantial garden and is relatively original, although the front verandah is a reproduction. It is a two-storey masonry building, with a profile sheet metal hip roof.

The North Block faces Carr Street and is a three-storey brick building built in the 1960s. It is on a raised, landscaped podium.

The middle and main entry levels of the Campus contain the W.N. Oats Centre, Sheila Given Music Centre, Hobartville, the School Block, East Block and the Hodgkin Wing.

The W.N. Oats Centre is a masonry walled building with a low pitched, Dutch-gable roof constructed in 1984. Adjacent to the north entry is the Sheila Given Music centre which is a single storey masonry building with a low-pitched flat roof.

Hobartville (also known as 'Main Block') was the original homestead on the estate and was completed in 1834. It was adapted and extended during the 1889 school redevelopment. Subsequent alterations and additions have occurred as required to continue its use as part of the school. It is a two storey mostly masonry building made up of three connecting structures. The original building has its own hip roof. The semi-circular entrance Portico facing Commercial Road has full height columns and a flat roof and was added during the 1920's.

02 City of Hobart, "City of Hobart Local Heritage Precincts" January 2019, p.187

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#### UNDERSTANDING THE SITE

#### **DESCRIPTION & SIGNIFICANCE**

The School Block is a complex of four predominantly masonry buildings built in the late 19th and early 20th Century. Roofs are of corrugated sheet metal with intersecting hip roofs, except for one gable roof over the northern classrooms. There is a connected single storey building forming part of the complex.

To the east of the School Block fronting directly onto Carr Street is the East Block. It is a two-storey masonry building with a basement level where it steps down the slope of the grounds. It is substantially original and has three intersecting hip roofs.

Adjacent to the south side of the School Block is the Hodgkin Wing, built in the late 1920's which is also known as the South Block. It is a painted brickwork building in a U-shaped plan with hipped roofs. The Carr Street elevation has an overhanging upper storey enclosed verandah.

The lower level of the Campus contains two freestanding buildings, the Student Centre, set in a landscaped garden area on the Commercial Road side and the Design and Technology Centre facing Carr Street, the bottom green, and two more sports courts

The Student Centre is a timber clad building constructed over two storeys in response to the slope of the grounds. It has a complex profiled sheet metal roof, with hips and a skillion section to the north

The Design and Technology building was constructed over three different periods. The earliest part is a timber clad single storey section facing Carr Street. Two later masonry additions with low-pitched flat roofs extend to the east and down to the lower level, creating a two-storey elevation to the south.

The following Statement of Significance is outlined within the THR datasheet for the place:04

The Friends' School Campus at 23 Commercial Road, North Hobart is of historic cultural heritage significance because of its ability to demonstrate the evolution of education in Tasmania, particularly the development of private school education.

It also demonstrates the early colonial development of Tasmania. Hobartville, the house at the centre of the main building complex on this site, expresses the success of free enterprise in the young colony and demonstrates the characteristics of an Old Colonial Georgian residence.

 $The \ Western \ and \ Hodgkin \ Wings \ of \ the \ Friends' \ School \ are \ good \ examples \ of \ Inter-War \ Spanish \ Mission \ style \ architecture, \ and \ Pendle \ Hill \ Hill$ (Blairlogie) is a fine example of a brick Federation Queen Anne house

Hobartville is significant for its association with early Hobart whaler and merchant Coptain William Wilson. The Western and Hodgkin Wings are significant for their association with their designer, Bernard Walker.

03 Draft CMP, P. Johnston, pp. 14-20 04 Tasmanian Heritage Council datasheet ID 2810.

Purcell | 09

#### UNDERSTANDING THE SITE

DESCRIPTION & SIGNIFICANCE









#### PROPOSED WORKS

The proposal prepared for Planning Permit Application (PLN-20-197), seeks approval to redevelop the existing gym (W.N. Oats Centre) into a teaching building and construct a new gym facing Carr Street on the site of the existing upper level tennis courts.

- · insert a new floor within the internal volume of the existing W.N. Oats Centre;
- render an paint the existing external concrete block off white:
   insert new glazing to the lower level of the southern façade, and remove and lower the existing upper level glazing:
- insert additional high level glazing to the north façade, and;
   insert a rendered concrete block lift core into the existing annexe with a pedestrian linkway to the North Block.

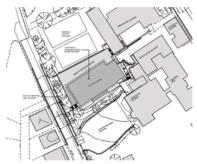
The proposed new Gym's front setback aligns with the adjoining residences with a paved and landscaped forecourt. The proposed building will be set back five metres from the side boundary with a fence and gate to secure the setback. It is proposed to construct a domestic scaled and detailed verandah on the Carr street façade to provide covered waiting areas for students at the existing drop-offipick-up zone, and to reduce the apparent bulk of the new building. Windows to the gym floor level of this side of the proposed new building are also scaled to match the surrounding residential area. The exterior palette is proposed to include a red brick base and off white precast concrete walls in response to the painted brick buildings on the campus and the later red brick buildings further along Carr Street. The gym entry will face the North Block and a new red brick lift core is proposed for the rear of the North Block to connect to the gym via a raised linkway for equitable access to the gym floor level. A single storey storage facility is proposed for the northern elevation. Several windows are proposed to the north elevation at the gym floor level to overlook the access walkway to The Friends' Health and Fitness Centre to the north of the Site.

There are no works proposed to any heritage buildings. The proposed new gym is between 'Pendle Hill' and Carr Street. It is not within the NH2 Heritage Precinct, or the extent of the 'Pendle Hill' THR registration.

In terms of materiality, the buildings are proposed to be constructed from a simple material palette consisting of off-white off form precast concrete, red brick and white painted steel.

Further details of the proposal are provided within the following:

The Friends' School Campus Redevelopment WN Oats Centre and Gym Development Application 20th March 2020 as prepared for Planning Permit Application (PLN-20-197) by Bence Mulcahy with drawing package dated 19/12/2019





PROPOSED WORKS



Figure 11 Proposed Commercial Road Elevation. (Source: Bence Mulcohy,

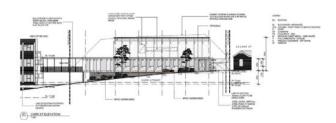


Figure 12 Proposed Carr Street Elevation – not to scale. (Source: Bence Mulcahy)



Street view to Pendle Hill from the corner of Rupert and Elizabeth Street (new gym behind Pendle Hill, outline in red das

Figure 13 Concept image with proposed gym outlined in red dash, behind Pendle Hill - not to scale, (Source: Bence Mulcahy)

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PROPOSED WORKS



Figure 14 Carr Street Elevation with proposed new gymnasium conceptual image and existing building names shown, not to scale. (Source: Bence Mulcohy)

IMPACT ASSESSMENT

GUIDANCE DOCUMENTATION

This assessment has been informed by the following documents which provide for a best practice management framework of historic

- ICOMOS Australia, The Burra Charter (1999, revised 2013).
   Works Guidelines for Historic Heritage Places, prepared by Heritage Tasmania for the Tasmanian Heritage Council, November 2015.
   Design in Context Guidelines for Infill Development in the Historic Environment, NSW Heritage Office & RAIA, 2005.
   Good Design + Heritage, Office of the Victorian Government Architect, 2017.

This assessment is based on observations made during the site visit (27 April 2020) and a desktop review of the design proposal within the context of the Hobart Historic Heritage Code. It addresses the impact of the proposal, and its effect on the cultural heritage significance of The Friends' School Commercial Road Campus. The assessment considers the potential for detrimental impacts as a result of the proposal, as well as all mitigation measures proposed. Works have been assessed in terms of their impact on the heritage value of The Friends' School Commercial Road Campus as identified in its Statement of Significance (THR), and to the setting and context.

ASSESSMENT AGAINST HISTORIC HERITAGE CODE

As the subject site is identified as a Heritage Place in Table E13.1 of the Hobart Interim Planning Scheme 2015, the following assessment considers the responsiveness of the proposal against the Development Standards for Heritage Places and Precincts.

The tables below assess the impact of the proposals against the specific performance criteria contained within clauses of the Hobart Interim Planning Scheme 2015:

TA	TABLE E13.7.1 DEVELOPMENT STANDARDS FOR HERITAGE PLACES – DEMOLITION					
То	OBJECTIVE  To ensure that demolition in whole or part of a heritage place does not result in the loss of historic cultural heritage values unless there are exceptional circumstances.					
	PI Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;					
a)	there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place $\frac{1}{2} \int_{-\infty}^{\infty} \frac{1}{2} \left( \frac{1}{2} \int_{-\infty}^{\infty} \frac{1}{2} \left( 1$	Demolition is limited to the removal of the tennis courts to the north of the Site, fronting Carr Street, which are not heritage listed and not within the adjacent heritage precinct (NH2), and partial demolition of the WN. Oats Centre, Neither the outdoor tennis courts or				
b)	there are no prudent or feasible alternatives;	the W.N. Oats Centre. Neither the outdoor tenns courts or the W.N. Oats Centre are considered to contribute to the heritage significance values of the existing heritage residence, Pendle Hill, or to				
c)	important structural or façade elements that can feasibly be retained and reused in a new structure, are to the retained;	the broader Hentage Precinct.				
d)	significant fabric is documented before demolition.					

IMPACT ASSESSMENT

#### TABLE E13.7.2 DEVELOPMENT STANDARDS FOR HERITAGE PLACES – BUILDINGS AND WORKS OTHER THAN DEMOLITION

#### OBJECTIVE

To ensure that development at a heritage place is:

a) undertaken in a sympathetic manner which does not cause loss of historic cultural heritage significance; and

b) designed to be subservient to the historic cultural heritage values of the place and responsive to its dominant characteristics

#### PI Development must not result in any of the following:

 a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;

The architectural design proposals (prepared by Bence Mulcahy) demonstrate a considered and compatible response to the heritage context of the Site.

The alterations to the W.N. Oats centre are mostly internal with minor changes to the fenestration of the existing facades to afforded greater light and visual amenity. The new lift core is placed to the east of the building, behind the façade of Hobartville. It presents minima vibilities to Commercial Road and will have minimal impact on the existing views to Hobartville from the entrance or Commercial Road.

In particular, the siting of the new Carr Street Gym building has been carefully considered in order to minimise physical or visual intervention with the heritage building Pendle Hill, and the neighbouring heritage precinct.

The design responds to adjacent heritage buildings and to the urban grain of the wider NH2 heritage precinct in its scale and in the articulation of its form. Its form breaks down the mass of the building with the inclusion of a domestic scaled verandah to the Carr Street elevation (see Figure 14).

The proposed material palette of off-white concrete and red brick, is considered appropriate It responds to the red brick and painted stucco of the School buildings together with the neighbouring NH2 heritage precinct in streetscape views

substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place. It is not considered that the proposal results in substantial diminution of the historic cultural heritage significance of the heritage Site or its settings.

The proposed works to the W.N. Oats buildings will not impact on the streetscape of Commercial Road, which retains its early brick wall. Views to the interior of the site, and setting of Hobartville, are largely obscured by this walling and the limited vistas afforded by the narrow street and topography.

Although the redevelopment of the site will substantially alter the current open character of the upper level of the Carr Street frontage, it is to be recognised that the historic pattern of development include residential lots with domestic scaled buildings prior to the creation of the existing outdoor tennis courts. Built form within this space is therefore not incongruous to this place. The domestic scaling of the proposed verandah and the use of planted beds stepping down the hill along the footpath will soften perceptions of the builk of the building in a manner sympathetic to the historically domestic presentation. The planters are consistent in scale with the pattern of small residential front gardens adjacent to the Site. The proposed security fence and gate to the side setback of the gym is simple in design and will minimise visual intrusion and provide views of the landscaped space between the gym and the boundary.

IMPACT ASSESSMENT

P2 [	Development must be designed to be subs	ervient and complementary to the place through characteristics including:
a)	scale and bulk, materials, built form and fenestration	It is considered that the scale, bulk, materials, built form and fenestration of the proposal is complementary to the significant School buildings and neighbouring heritage precincts.  The view of Pendle Hill from Elizabeth Street will not be substantially altered by the propose gym. Replacement of the existing hedge between Pendle Hill and the proposed gym with a
		new hedge will retain the separation of the sites and reduce the impact of the gym.
b)	setback from frontage;	There is no change to the setback of the W.N. Oats building from Commercial Road.  The setback from Carr street of the proposed Gym aligns with and maintains the existing setback of the adjoining heritage precinct and residence at 24 Carr Street. This will not detra from the historic cultural heritage significance of the neighbouring contributory row of bouse in the NH2 heritage precinct and its broader setting
c)	siting with respect to buildings, structures and listed elements;	The proposed external alterations to the W.N. Oats building are minimal and will not impact on Hobartville or the adjoining heritage School buildings.  The proposed new gym is sufficiently set back from the heritage listed Pendle Hill and the adjoining heritage precinct contributory residence to have minimal heritage impact.
d)	using less dominant materials and colours.	The proposed off-white concrete and red brick palette are considered an appropriately recessive material palette and colour scheme, appropriately responding to the materiality of the surrounding buildings and heritage precinct.
P3 Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.		The use of a contrasting architectural language, including flat panels, deeply recessed window and a pared back minimalist aesthetic is considered to be an acceptable contrast to the heritage building. This is given the setback and physical separation of the proposed building from the neighbouring cottage, and that the massing of the proposed building is similar to the existing School buildings on Carr Street.  The proposed material palette will be readily identifiable as new fabric while being appropriately recessive to the dominant heritage characteristics of the precinct. The use of off-white concrete and red brick is considered appropriate as it responds to the red brick and the proposed propriate to the proposed brick is considered appropriate.
D4 F	Extensions to existing buildings must not	painted stucco of the School buildings and neighbouring NH2 heritage precinct in streetscap views. The articulation of the verandah and windows to Carr Street successfully moderate between the existing School buildings and residential character of the adjacent NH2 heritage precinct.  The minor lift core extension to the W.N. Oats building has been carefully located to ensure
detr signi	ract from the historic cultural heritage ificance of the place.	that it does not further detract from the context, setting and views to Hobartville while affording equitable access.
sym scale	New front fences and gates must be pathetic in design, (including height, form, e and materials), to the style, period and racteristics of the building to which they ong.	The proposed garden beds to Carr Street are considered sympathetic to the streetscape frontage of 24 Carr Street. Their domestic scale and terraced design are responsive to the residential characteristics of the adjacent NHZ heritage precinct, inclusive of its landscape retaining walls, and moderate toward the existing frontages and landscaping of the remaining School buildings along Carr Street. The security gate adjacent 24 Carr Street, while utilitariar in its specification is considerate of the white timber picket fence to 24 Carr Street and sits below its roof form.
bety resu that	The removal of areas of landscaping ween a dwelling and the street must not if in the loss of elements of landscaping contribute to the historic cultural ificance of the place	Not applicable

#### HERITAGE IMPACT ASSESSMENT

SUMMARY OF ASSESSMENT & CONCLUDING REMARKS

SUMMARY

The proposal to redevelop the site at The Friends' School Commercial Road Campus, at 23 Commercial Road. North Hobart including alterations to the existing WNN. Oats Centre and addition of a new Gym, is considered an appropriate response to the School's existing pattern of buildings developed over time. The proposal allows the maximisation of new and upgraded amenities at the School without alterations or additions to any of the heritage buildings or historic built fabric at the Site.

In terms of scale and massing, the proposed development has been carefully considered. The front setback of the new gym building continues the existing setbacks of the adjacent contributory row of houses in the heritage precinct (NH2). The gym has been setback five metres from the northern boundary in order to mitigate impacts to 24 Carr Street, with the horizontal line of the verandah and retention of windows to the lower level further responding to the residential characteristics of the NH2 heritage precinct and its uniformity of scale and form.

Given the setbacks proposed, the retention of Pendle Hill within an appropriately scaled curtilage, and the replacement of the hedge between Pendle Hill and the proposed gym, it is considered that visual impacts to the setting of this place will be minimal. Existing planting currently obscurses views beyond Pendle Hill from Elizabeth Street. As such the impact from the gym to the openness of the view will be minimal. The proposed off-white colour of the new building will also help to mitigate the impact (see Figure 13).

The architectural language proposed is a deliberate contrast to the heritage buildings in order that it remains readily identifiable as new work - an approach considered to be in-line with best practice and Performance Criteria 3 of the Development Standards for Heritage Places — Buildings and Works other than Demolition (Table 13.7.2). Furthermore the material selection is considered appropriate in type and palette such that it will be recessive and subservient within the heritage precinct.

CONCLUSION

It is our position that the proposal is of minor impact to the heritage values of the existing School buildings and the immediately adjacent NH2 heritage precinct. It is also our position that the proposal is consistent with the Performance Criteria outlined within the Development Standards for Heritage Places (Tables 13.7.1 and 13.7.2) of the Hobart Interim Planning Scheme 2015.

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ATTACHMENT B

Item No. 7.1.1

PURCELL

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## Application Referral Cultural Heritage - Response

From:	Sarah Waight
Recommendation:	Proposal is acceptable without conditions.
Date Completed:	
Address:	23 COMMERCIAL ROAD, NORTH HOBART
Proposal:	Partial Demolition, Alterations, Extension, New Building for Educational and Occasional Care (Gymnasium), Signage and Associated Works (Re-Advertised - Administrative Correction)
Application No:	PLN-20-197
Assessment Officer:	Cameron Sherriff,

#### Referral Officer comments:

This proposal is for works to the Friends School High School campus which is located between Carr Street and Commercial Road. This proposal is based on a master planning exercise completed in 2016.

There are two components to this application: a new gymnasium and the conversion of the existing gymnasium to teaching spaces. The works to the existing gymnasium are part of the heritage listed site and must be assessed against E13.7.1 P1 Demolition and E13.7.2 P1, P2, P3, P4. The other provisions of E13.7.2 are not applicable. The site is not within a Heritage Precinct

The application is supported by a Heritage Impact Assessment, Revision A, dated 14 May 2020 by Purcell.

Eight (8) representation were received during the advertising period. The following heritage matters were raised:

- 'concerned that the proposed building will detract from the adjacent heritage precinct due to height and predominate concrete construction'
- 'This structure is in no way in keeping with the adjacent heritage areas, it is not designed sympathetically nor is it subservient to the historic heritage values.'
- 'This is not in keeping with the form and scale of the heritage area cottages that it sits adjacent to the street frontage of this one building is almost the same as the first 3 cottages combined and the height is well above that of the cottages.'
- With the loss of view to residents towards the top of the street along with the addition of another school building that is not in keeping with heritage values of the area.'
- 'On top of this the heritage area cottages at the top of Carr street would not be dwarfed by the development of a large concrete block just 5 meters away.'
- 'The proposed height of the Gym .... does not match the heritage appeal of the adjacent residential dwellings.'

The works are confined to the existing gymnasium constructed in 1984 to convert it to teaching space. It is a utilitarian grey concrete block structure and the proposal will involve the removal of the existing windows and replacement with new windows and the addition of a new external lift from the Commercial Road carpark level to the entry area on the north east of the building. Externally, the building will be rendered and there are changes to the area to the outdoor space to the north east. The buildings and structures nearby to this proposal that are of heritage value

are Hobartville, Pendle Hill, the entrance portico and wall on Commercial Road and there is no work proposed that alters or impacts negatively on the fabric directly or other heritage values. In this respect, the proposed demolition and new works associated with the 1984 gymnasium do not result in the loss of heritage values of the listed place and do not detract from the heritage values of the place. The proposal satisfies E13.7.1 P1 demolition and E13.7.2 P1, P2, P3, P4 new work.

The other works are for a new gymnasium on the existing tennis courts. This part of the proposal is outside the heritage listed site.

As stated above, this part of the proposal is not within a Heritage Precinct. The North Hobart 2 Heritage Precinct is immediately adjacent to the tennis courts in which there are four houses facing Carr Street. There are no provisions within the Historic Heritage Code of the Scheme that apply to the assessment of development adjacent to a heritage precinct and therefore, the heritage concerns raised in the representations cannot be considered. The artists streetscape view show the new gymnasium in Carr Street adjacent to the single storey dwellings in the Precinct and the existing North Block and show a building scaled to sit within a streetscape.

In summary, the proposal is considered to satisfy the above provisions of the Historic Heritage Code of the Scheme.

Sarah Waight Senior Cultural Heritage Officer 17 June 2020

## 7.1.2 132-140 ELIZABETH STREET, HOBART - EXTENSION TO OPERATING HOURS

PLN-20-512 - FILE REF: F20/97870

Address: 132 – 140 Elizabeth Street, Hobart

Proposal: Extension to Operating Hours

Expiry Date: 23 September 2020

Extension of Time: Not applicable

Author: Michael McClenahan

#### RECOMMENDATION

That pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for extension to operating hours at 132-140 Elizabeth Street, Hobart for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

#### PLN<sub>6</sub>

The use must not be open to the public outside of the following hours:

Monday to Thursday 12:00pm - 3:00am Friday and Saturday 12:00pm - 4:00am

Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

#### PLN s1

A late night management plan must be submitted and approved to the satisfaction of the Director City Planning, prior to the commencement of the extended operating hours. The management plan must be substantially in accordance with the approved Hotel Industry Impact Assessment and specify the following at a minimum:

The nature of the use and the approved hours of operation.

- Details relating to the playing of amplified music, including live music. This should include location of speakers (inside and out), and external windows and doors.
- Waste management details. This should include general waste from the bar, as well as other waste like general litter (cigarette butts, bottles, etc).
- Location of management of any smoking areas. Details of any outside lighting.
- Details for patron management, particularly on departing the premises at closing time.
- Details of measures in place to clean up Elizabeth Street external to the premises after closing time.
- A contact point (name and phone number at a minimum) for complaints, to be available while the use is in operation.

In the event that the management of the premises changes then an updated late night management plan with a new contact point must be provided to the City of Hobart within 14 days of the change of management.

#### Reason for condition

To ensure that impacts on the amenity of surrounding areas resulting from late night operation of hotel industry uses are kept to a minimum.

Attachment A: PLN-20-512 - 132-140 ELIZABETH STREET

HOBART TAS 7000 - Planning Committee or

Delegated Report !

Attachment B: PLN-20-512 - 132-140 ELIZABETH STREET

HOBART TAS 7000 - CPC Agenda Documents U





#### **APPLICATION UNDER HOBART INTERIM PLANNING SCHEME 2015**

Type of Report: Committee

Committee: 21 September 2020 Expiry Date: 23 September 2020

Application No: PLN-20-512

Address: 132 - 140 ELIZABETH STREET, HOBART

Applicant: Benjamin Wells (Springsteen Cartel Pty Ltd)

132 - 134 Elizabeth Street

Proposal: Extension to Operating Hours

Representations: Four (three opposed, one neutral)

Performance criteria: Central Business Zone Use Standards

#### 1. Executive Summary

- 1.1 Planning approval is sought for Extension to Operating Hours, at 132-140 Elizabeth Street Hobart.
- 1.2 More specifically the proposal includes:
  - Extension of operating hours to allow trading between 12:00pm 3:00am (Monday - Thursday) and 12:00pm - 4:00am (Friday and Saturday) for 'Grinners' bar.
- 1.3 The proposal relies on performance criteria to satisfy the following standards and codes:
  - 1.3.1 Central Business Zone Use Standards Hours of Operation
- 1.4 Four (4) representations to the proposal were received, three opposed to it and one neutral, within the statutory advertising period between 17/08/20 31/08/20.
- 1.5 The proposal is recommended for approval subject to conditions.
- 1.6 The final decision is delegated to the Committee, because the officer recommendation is for approval and more than two but less than five objections have been received.

#### 2. Site Detail

2.1 The subject site is located at 132-146 Elizabeth Street, with the tenancy in question located at 132-140 Elizabeth Street. The site is an irregular shaped parcel of land within the northwestern part of the Hobart CBD. The property includes several commercial tenancies in two buildings built on the frontage with Elizabeth Street on its northeast boundary. The partial change of use is proposed within the ground floor of the larger, multilevel building to the rear of these buildings. The tenancy in question is located on the Elizabeth Street frontage. The surrounding area is characterised primarily by commercial use and development.

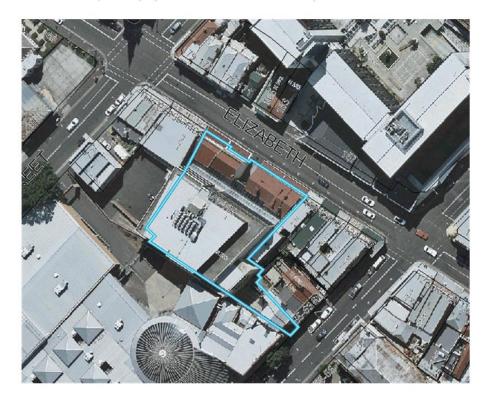


Figure 1: Aerial image of the subject site (bordered in blue) and surrounding area.



Figure 2: Looking north west up Elizabeth Street towards subject site.



Figure 3: Looking south east down Elizabeth Street directly in front of subject site.



**Figure 4**: Right of Way driveway to 132-146 Elizabeth Street and designated smoking area for subject tenancy

#### 3. Proposal

- 3.1 Planning approval is sought for Extension to Operating Hours at 132-140 Elizabeth Street Hobart.
- 3.2 More specifically the proposal is for and extension of operating hours to increase trading hours as follows.

From: 12 noon to 12 midnight Monday to Saturday.

To: 12 noon to 3am Monday - Thursday, and 12 noon to 4am Friday and Saturday.

#### 4. Background

4.1 The premises has received an out of hours permit in the past from the state government (Liquor Licensing), for the hours that are currently sought in this planning application, notwithstanding there was no planning approval for those hours. Liquor Licensing will now not renew the premise's out of hours permit until the hours have a valid planning permit.

## 5. Concerns raised by representors

- 5.1 Four (4) representations to the proposal were received, three opposed and one neutral, within the statutory advertising period between 17/08/20 31/08/20.
- 5.2 The following table outlines the concerns raised in the representations received.

  Those concerns which relate to a discretion invoked by the proposal are addressed in Section 6 of this report.

I would be very concerned if the operating hours were extended past 1.00 am and I oppose the application. I have had damage to my building which occurs after hours including damage to a wall mirror that has been there as long as I can remember. My shop windows have also been scratched and that damage occurs at night. I have also had persons urinating in the alcove to my front door. I am continually removing empty beer bottles, cigarettes and cleaning graffiti from the front of my building none of which occurs in the day time. If operating hours are extended as per the application all I believe will happen is that persons who want to drink will congregate in this area with the risk of damage to other premises.

I have a restaurant at 128 Elizabeth street which is 2 doors from the proposed trading hour extension. I oppose the extension of trading hours. My building is continually being damaged and and this occurs after hours. I am also daily cleaning up vomits and cigarettes' butts from the front of my restaurant and urination on the wall. I have also had broken windows. An extension of trading hours will only add to this damage situation.

The council have been contacted time and time again due to the mess of patrons that use this restaurant. They currently open to late for the area. The mess they leave from cigarette butts and patrons that vomit. They classify as restaurant, not a bar or night club. This mess has to stop. It's cause by lack of responsibility and care by the owner and Patron drinking till late.

We do not believe Midtown is a night club area for drinking all night until the early hours of the morning.

While we have bought central town and realise the implications of noise that comes with that I want to outline again town is a mix of (while be it less) residential and businesses. With more residential apartments being built as Hobart evolves and grows I feel as a town homeowner we are slightly overlooked as rules/planning fall under general business use. This email is not to complain but a gentle reminder that people do live and want to continue living peacefully in town and this is possible when people in authority like yourself consider the balance of business and residential harmoniously living next to each other.

#### 6. Assessment

6.1 The *Hobart Interim Planning Scheme 2015* is a performance based planning scheme. To meet an applicable standard, a proposal must demonstrate

compliance with either an acceptable solution or a performance criterion. Where a proposal complies with a standard by relying on one or more performance criteria, the Council may approve or refuse the proposal on that basis. The ability to approve or refuse the proposal relates only to the performance criteria relied on.

- 6.2 The site is located within the Central Business Zone of the *Hobart Interim Planning*Scheme 2015
- 6.3 The existing use is a Hotel Industry. There is no proposed change of use. The existing use is a permitted use in the zone.
- 6.4 The proposal has been assessed against:
  - 6.4.1 D22.0 Central Business Zone
- The proposal relies on the following performance criteria to comply with the applicable standards:
  - 6.5.1 Hotel Industries D22.3.7 P1
- 6.6 Each performance criterion is assessed below.
- 6.7 Hotel Industries D22.3.7 P1
  - 6.7.1 The acceptable solution at clause 22.3.7 A1 requires that the hours of operation must be within 7:00am to 12:00am.
  - 6.7.2 The proposal includes an extension of operating hours for a hotel industry use from 12:00pm to 3:00am (Monday Thursday) and 12:00pm 4:00am (Friday and Saturday).
  - 6.7.3 The proposal does not comply with the acceptable solution; therefore assessment against the performance criterion is relied on.
  - 6.7.4 The performance criterion at clause 22.3.7 P1 provides as follows:

The operation of Hotel Industry uses must not have an unreasonable impact on the amenity and safety of the surrounding uses, having regard to the following:

- (a) the hours of operation and intensity of the proposed use;
- (b) the location of the proposed use and the nature of surrounding uses and zones:

- (c) the impact of the proposed use on the mix of uses in the immediate area:
- (d) the impacts of lightspill;
- (e) possible noise impacts and proposed noise attenuation measures;
- (f) Crime Prevention Through Environmental Design including:
- (i) reducing opportunities for crime to occur;
- (ii) providing safe, well designed buildings;
- (iii) minimising the potential for vandalism and anti-social behaviour;
- (iv) promoting safety on neighbouring public and private land.

A 'Hotel Industry Impact Assessment' must be submitted addressing the following issues if relevant:

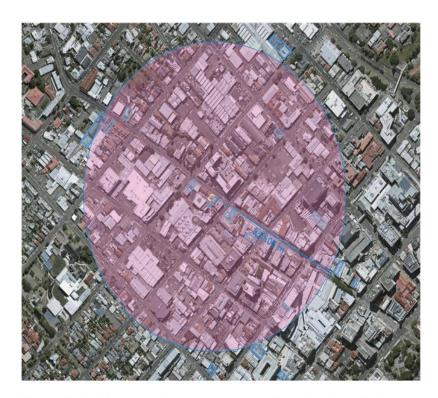
- (a) A description of the proposed use, hours of operation and type and duration/frequency of music/entertainment;
- (b) location of music performance areas or speaker, external doors and windows, any other noise sources, and waste storage areas;
- (c) details of entry points, external areas for smokers and a waste management plan;
- (d) the nature and location of surrounding uses, and for non residential uses their hours of operation, and a written description of the site context:
- (e)details of the proposed management of noise in relation to noise sensitive areas within audible range of the premises, including residential uses and accommodation and associated private open space:
- (f) a summary of the consultation with immediate adjoining landowners/occupiers and proposed measures to address any concerns:
- (g) the location of lighting within the boundaries of the site, security lighting outside the licensed premise and any overspill of lighting; (h) impacts on traffic and parking;
- (i) Crime Prevention Through Environmental Design (CPTED)
  Principles including:
- (i) reducing opportunities for crime to occur;
- (ii) providing safe, well designed buildings;
- (iii) minimising the potential for vandalism and anti-social behaviour;
- (iv) promoting safety on neighbouring public and private land.
- (j) any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises during and after opening hours.
- 6.7.5 The proposal is for an extension of operating hours for an existing use from a midnight close to a close in the early morning hours. It is Councils understanding the venue in question, Grinners Dive Bar, has operated to

these hours over the past two years after obtaining an out of hours liquor license without confirmation that planning approvals matched those hours and and is now seeking compliance under both State and Council requirements. The immediate surrounding area contains a mixture of restaurants, cafés, bars, retail outlets, and student accommodation and is located on the northern edge of the Central Business District and also forms part of the Elizabeth Street 'Midtown' spine.

As a late night/early morning venue, the proposed extension of hours is unlikely to generate any unreasonable level of impact within this Central Business area. There are existing residential uses in the immediate area, with the University of Tasmania student accommodation located directly opposite at 157 Elizabeth Street, and some above tenancy residences to the south east. Music and noise from the venue is to be contained within the premises after midnight and no live music is to form part of the use after 11pm which would see the noise level remain much lower than a venue with late night music performances. The venue is not in any close proximity to a residential zone. One representor noted noise from the venue but not to a degree that represented an unreasonable disturbance and given the context of the surrounding built environment, the site would be well-attenuated to reduce noise to residential uses in close proximity.

There will be no change in the level of lighting on the property or increase in level of music. The extension of operating hours will complements the existing eclectic mix of uses in the local area and continue to support night time activity within the Central Business Zone and 'Midtown' areas of the City. Other commercial uses in the area would generally close at typical business closing times and therefore their activity and business would not be affected by the night time operation of the proposed use. The subject site is located on the northern edge of the Central Business District and forms part of the Elizabeth Street 'Midtown' spine with a cluster of similar food and drink venues clustered along the 600 metres bounded by Warwick and Bathurst Streets. This spine is a recognised pedestrian route between Salamanca and North Hobart, regularly travelled by those moving between venues at either end, particularly on weekends and towards the end of the working week.

The subject tenancy is adjacent to another late night venue, Rude Boy, and within walking distance of several other late night venues. These venues have been highlighted below in Figure 5 with a majority of these located within a 350m radius of the subject site. The approved hours of operation for the venues in closest proximity to the subject site are listed below in Table 1.



**Figure 5**: Aerial image of the subject tenancy (highlighted in yellow) and a 350m radius (highlighted in pink) of the current Bar and Hotel Industry uses (highlighted in blue) within the Central Business Zone

Venue	Approved Hours of Operation		
Rude Boy	8:00am - 1:00am - 7 Days		
Metropolitan	12:00pm - 2:00am - Monday and Tuesday		
	12:00pm - 4:00am - Wednesday - Sunday		
Sonny	4:00pm - 12:00am - Monday - Sunday (not open Wednesday)		
Urban Greek	4:00pm - 12:00am - Monday - Saturday		
	2:00pm - 12:00am - Sunday		
Shambles Brewery	12:00pm - 12:00am - 7 Days		
Bar Wa Izakaya	11:00am - 12:00am - Tuesday - Sunday		
Amor Bar	Close at 12:00am unless allowed later by Licencing Board		

Table 1: Approved hours of operation of Restaurants, Bars and Hotel Industry uses within close proximity to the subject site.

6.7.6 The applicant has submitted a Hotel Industry Impact Statement within which they have responded to each of the considerations of the relevant performance criteria

The applicant states the proposed hours would be generally from 4:00pm - 12:00am on Monday to Thursday, and subject to demand, the

occasional extension until 3:00am. The applicant has also proposed hours of 12:00pm -4:00am on Friday and Saturday nights whilst remaining closed on Sunday. The venue would operate as the serving of food and drinks until 12:00am and then only serving drinks until closing. Occasional live acoustic music occurs in the venue, concluding at 11:00pm, with all other music played via seven small speaker located internally and one external speaker on the patio. External music ceases at 12:00am with remaining internal music playing until close.

There is only one entry point to the venue via the Elizabeth Street frontage. Smoking is restricted immediately in front of the venue and smokers are directed to move 10 metres up the street to a driveway area adjacent to the right of way driveway to 132-146 Elizabeth Street. Waste storage for the venue is located behind the venue which is collected every Thursday. The applicant acknowledges in the statement that "the impact of people in the area is some mess left behind by smokers, however we are diligent at cleaning up the street at the end of every night."

In response to part d, the applicant states that:

There are several different businesses that surround Grinners immediately; Monk & Co (Monday - Friday 9-5), Rude Boy (Tuesday - Saturday 12pm - 12am and 12pm - 2am on weekends), The Stagg Monday - Sunday (6am - 2pm), Ken Self Cycles (Monday - Friday 9am - 5pm). We have a good relationship with all surrounding businesses and have previously collaborated on a Midtown Street party. There is also a University owned residential building opposite Grinners. Many of the tenants frequent the bar and we have held several functions for both students and university staff.

The applicant has indicated they have good relationships with their neighbours and have addressed any problems that may have arisen in the past during the operation of the venue.

With respect to lighting the applicant has detailed that there a LED strip running along the underside of the awning of the footpath and remains lit during hours of operation.

There is no parking for the site and the venue does not use meal delivery services which may generate more parking activity.

6.7.7 Several representations were received during the notification period with concerns being raised with the behaviour of the public in the immediate

surrounds of the venue overnight. Specific reference was made to litter left in the form of bottles and cigarette butts as well as evidence of graffiti, public urination, and vomit on the footpath and doorways of nearby businesses along Elizabeth Street. Evidence of previous engagement with Council Officers over these matters and photographs have also been provided. One representor disputed the comments by the Applicant in the Hotel Industry Impact Statement and that there had been no resolution of the ongoing street problems.

It is evident from the applicant that there is an awareness in appropriately managing the behaviour of their patrons, both inside and outside the venue, and that this reflects on the amenity and character of the immediate area that they operate. This evidence contrasts with a number of representations received during the public notification period which may indicate that there has not been a consistency in managing antisocial behaviour by patrons. Of course without definitive evidence, the source of the alleged anti-social behaviour could be generated by patrons of a number of business that operate in the late hours. Given though, the close proximity of the venue in question to areas of disturbance, it can be reasonably concluded there is likelihood of a connection between the two.

On balance, an examination of the representors concerns pointed as much towards a lack of appropriate rubbish bins, cigarette disposal points, and public toilets in the immediate Elizabeth Street vicinity, than the lack of appropriate management by the venue staff. The closest public toilet is at the Hobart Central Car Park on Melville Street which closes at 6:30pm on weekdays, 5:30pm on a Saturday and 4:00pm on a Sunday. There are also no Council managed rubbish bins or cigarette disposal points on the southern side of Elizabeth Street between Melville Street and Brisbane Street. Whilst a responsibility rests on the individual for their actions in or outside a venue, the lack of these publicly provided facilities does not encourage consistent and socially beneficial behaviour by patrons in the early morning hours.

6.7.8 Based on the current operation it is understood that the proposal to open until at least 4:00am is not out of character with the existing late night venue hours in the immediate area. The operation of the venue remains consistent with these other venues, serving food and drink with little priority given to late night live music and no space provided for dancing. This collection of venues presents as an alternative night life hub to the Salamanca and Franklin Wharf area.

The representors have raised valid concerns regarding the operation of

the venue and its impact upon the immediate public realm. These concerns also raise issue with the appropriate level of public facilities provided by Council to support the daytime and nighttime economies of the 'Midtown' area which would contribute towards a minimisation in the potential for anti-social behaviour.

Accounting for the above information and assessment, having regard to the proposed extension of operating hours, the location of the use and the nature of surrounding use it is concluded that the intensification of this hotel industry use (bar) will not present an unreasonable impact upon the amenity and safety of the surrounding uses. It is recommended that a further condition be imposed upon the use requiring submission of a late night management plan detailing responses to the received concerns and how this will be consistently addressed. Recommendation will also be made to Council to explore the opportunities for further rubbish bins or public toilet facilities.

6.7.9 The proposal complies with the performance criterion.

### 7. Discussion

- 7.1 Planning approval is sought for Extension to Operating Hours, at 132 to 140 Elizabeth Street Hobart.
- 7.2 The application was advertised and received four (4) representations. The representations raised concerns including behaviour of patrons in the surrounding street after they leave venues including littering, public urination and vomiting. One other representor raised concern for the transition of prioritising late night venues over residential amenity in the Central Business District. These concerns have all related to a discretion and have been addressed in Section 6 of this report.
- 7.3 It would be noted that one representor described the application as registered as a Restaurant and that such hours of operation are not consistent with this use. Whilst the venue does operate food services this is viewed, for the purposes of assessment under the *Hobart Interim Planning Scheme 2015*, as ancillary to the the primary use of the venue which is Hotel Industry. A Hotel Industry is defined as "use of land to sell liquor for consumption on or off the premises."
- 7.4 The proposal has been assessed against the relevant provisions of the planning scheme and is considered to perform well.
- 7.5 The proposal has not been assessed by other Council officers.

7.6 The proposal is recommended for approval.

## 8. Conclusion

8.1 The proposed Extension to Operating Hours at 132 - 140 Elizabeth Street, Hobart satisfies the relevant provisions of the *Hobart Interim Planning Scheme* 2015, and as such is recommended for approval.

#### 9. Recommendations

That:

Pursuant to the *Hobart Interim Planning Scheme 2015*, the City Planning Committee, in accordance with the delegations contained in its terms of reference, approve the application for Extension to Operating Hours at 132-140 Elizabeth Street for the reasons outlined in the officer's report and a permit containing the following conditions be issued:

### PLN<sub>6</sub>

The use must not be open to the public outside of the following hours:

- Monday to Thursday 12:00pm 3:00am
- Friday and Saturday 12:00pm 4:00am

### Reason for condition

To ensure that non-residential use does not unreasonably impact on residential amenity.

#### PLN s1

A late night management plan must be submitted and approved to the satisfaction of the Director City Planning, prior to the commencement of the extended operating hours. The management plan must be substantially in accordance with the approved Hotel Industry Impact Assessment and specify the following at a minimum:

- The nature of the use and the approved hours of operation.
- Details relating to the playing of amplified music, including live music.
   This should include location of speakers (inside and out), and external windows and doors.
- Waste management details. This should include general waste from the bar, as well as other waste like general litter (cigarette butts, bottles, etc).
- Location of management of any smoking areas.
- · Details of any outside lighting.
- Details for patron management, particularly on departing the premises at closing time.
- Details of measures in place to clean up Elizabeth Street external to the premises after closing time.
- · A contact point (name and phone number at a minimum) for complaints,

to be available while the use is in operation.

In the event that the management of the premises changes then an updated late night management plan with a new contact point must be provided to the City of Hobart within 14 days of the change of management.

Reason for condition

To ensure that impacts on the amenity of surrounding areas resulting from late night operation of hotel industry uses are kept to a minimum.

(Michael McClenahan)

**Assistant Planner** 

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

(Ben Ikin)

**Senior Statutory Planner** 

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Date of Report: 2 September 2020

Attachment(s):

Attachment B - CPC Agenda Documents

Planning: #210852
Property
132-140 ELIZABETH STREET HOBART TAS 7000
People
Applicant *
Springsteen Cartel Pty Ltd
Benjamin Wells
132 - 134 Elizabeth Street
HOBART TAS 7000 0456368104
Bwtmn@live.com.au
Owner *
Springsteen Cartel Pty Ltd
Benjamin Wells
132-134 Elizabeth Street HOBART TAS 7000
0456368104
bwtmn@live.com.au
Patron J Dr.
Entered By BENJAMIN WELLS
0456368104
GRINNERSDIVEBAR@OUTLOOK.COM
Use
Restaurant
Details
Have you obtained pre application advice?
• <sub>II</sub> No
If YES please provide the pre application advice number eg PAE-17-xx
Are you applying for permitted visitor accommodation as defined by the State Government Visitor Accommodation Standards? Click on help information button for definition. If you are not the owner of the property you MUST include signed confirmation from the owner that they are aware of this application.
• aNo
Is the application for SIGNAGE ONLY? If yes, please enter \$0 in the cost of development, and you must enter t number of signs under Other Details below.

• no										
this applicatio	n is related t	to an enforc	cement actio	on please	e enter l	Enforcem	nent N	umber	r	
etails										
Vhat is the curr	rent approve	d use of the	e land / build	ding(s)?						
Hotel Industry										
lease provide	a full descrip	otion of the	proposed u	ise or de	velopm	ent (i.e. c	lemoli	tion ar	nd new dwelli	ng,
wimming pool	and garage	)								
The proposed u	ise is to trade	e between th	ne hours of 1	2am - 3a	m Mono	day to Th	ursday	y and 1	12am - 4am F	riday
stimated cost	of developm	nent								
0.00										
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hat days and										
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	From	10	То		From			То		
Sunday					Sunday					
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ery Large (Se	mi trailer)									
arge										
Medium 3 - 4										
mall										
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outdoor stora	age propose	d?					•	No		
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No	
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involved in this applic	ion?
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Is this property on the	
Register?	Yes
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Documents	
Required Docum	nts
Title (Folio text and Pla	and Schedule of Easements)
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Title (Folio text and Pla	and Schedule of Easements)
*	
FolioText-143974-1.p	
Plans (proposed, existing)	
Proposed Plan.pdf	
Covering Letter GRINNERS OUT OF	OLIDS DEDMIT pdf
Neighbouring business	
Surrounding business s	
Neighbourning business	
currounding business	**

Item No. 7.1.2

# Agenda (Open Portion) City Planning Committee Meeting - 14/9/2020

Page 231
ATTACHMENT B

To whom it may concern,

The proposed plan for 132-134 Elizabeth street, trading as Grinners Dive Bar is to receive Hobart City Council permission to trade between the hours of 12am and 3am Monday – Thursday and 12am to 4am on Fridays and Saturdays.

Regards,

Ben Wells

To whom is may concern,

I am writing to apply for a license extension for Grinners Dive Bar, located at 132-134 Elizabeth Street in the Central Business District. The current use of the building is in the Hotel industry. In order to extend our license to trade between the hours of 12am and 4am we must address the issues raised in 22.3.7 P1. I hope the following information will sufficiently outline the reasons why we should receive planning approval to trade between those hours.

Due to a mix up from the previous tenant at 132 - 134 Elizabeth street an out of hours permit was provided to the premises. Over the last two years we also received an out of hours permit from Licensing/treasury to trade between the hours of 12am and 4 am. In the last two years we have never had a complaint made to the police about excessive noise, overspill of light, criminal activity or antisocial behaviour.

We have put several systems in place to make sure that we have a positive impact on the Midtown community, which includes surrounding businesses, residents from both neighbouring university complex's', members of the community that frequent the area and the people that use the street to commute.

When operating between the hours of 12am and 4am majority of the people on the street have come specifically to visit either Grinners or the bar next door, Rude Boy, meaning the amenity and safety of people in the area and the area itself are of the upmost importance and are upheld by both us and our patrons. In regards to the location, Midtown is a up and coming precinct for food and drinks, in which the last few years has become quite popular. Venues in the area include Rude Boy, Bar Wah, Amor Bar, Shambles, Dana Eating House, Sonny and until recently Etties. Several of these venues in the Hotel Industry hold after hours permits which helps provide a positive atmosphere and vibe to the area. We believe the council's approval of our out of hours license will help contribute to that positive atmosphere.

The impact of people in the area is some mess left behind by smokers, however we are diligent at cleaning up the street at the end of every night. As we are open for lunches on Fridays and Saturdays it is in our best interest to leave the street clean, we also have a close working relationship with The Stagg coffee shop and Monk & Co. barbers and we like to keep our neighbours happy.

In terms of light spill, I recently attended all the council initiative meetings in regards to the Elizabeth street upgrade and was a part of the project action team. It was frequently brought up that parts of Elizabeth street were too dark and that some people may have felt uncomfortable walking late at night and the fact that Grinners was open late gave people some light late at night and a point of call if they were ever in any trouble. None of the residents in the opposite university accommodation have ever complained about the light spill and many of them frequent the venue late at night.

When it comes to noise impacts, we have a close relationship with many of the university students across the road, including some of the student leaders that help manage the building. We have on occasion been asked to turn the music down outside (we have one speaker situated under our awning) during exam periods in which we always oblige and after 12am the music is turned off outside. Several of the students in the accommodation opposite have my personal number and know to call if they ever have a problem with late night noise, we have never had a student have to take the matter further.

Grinners has always promoted a safe environment that discourages antisocial behaviour and is proactive in anti-vandalism in the area, this is done through appropriate staffing, having firm RSA procedures in place and having regulars in the venue (Grinners is marketed towards locals), this allows us to single out patrons that may have caused a problem and to make sure they either don't return or know they aren't welcome if they exhibit that kind of behaviour in the area. In two years we haven't had any complaints about vandalism or antisocial behaviour from the community or from police. We also now have several taxi drivers that que outside Grinners late at night which promotes patrons to get a taxi home and not drink drive, of which we are huge advocates.

In regard to the Hotel Industry Impact assessment:

Grinners is a restaurant/bar. We serve Mexican street food cuisine until 12am, after 12am the bar becomes a place for a quiet drink for hospitality workers, shift workers and people looking for a late-night drink at a place that isn't a club. The hours of operation are Monday - Thursday 4pm - 12am (occasionally till 3am on busy nights) and Friday- Saturday 12pm - 4am. We have music playing outside the venue until 12am and inside the venue until 4am on weekends. We occasionally have live music inside the venue however this is always finished by 11pm and is usually acoustic.

Live music is situated upstairs in the venue and is powered by a P.A. in that room only. There are two windows in the upstairs room however they are always kept closed. There is only one entry point to Grinners and the door is kept closed all through winter, meaning minimal noise spill onto the street after 12am. Grinners consists of 4 main rooms, a bathroom and office space. There are seven speakers spread out over all the rooms, all of which are Sonos small power speakers, meaning the maximum level of noise is reduced (volume can only go to a certain level) and each can be separately controlled.

The waste storage is in the Kalis group owned carpark behind the venue and is collected by Violia every Thursday.

There are four no smoking signs out the front of Grinners and a sticker letting patrons know they must be 3 metres away from a doorway if they are smoking. We have recently had talks with licensing police who have asked us to ask smokers to move 10 metres up Elizabeth to smoke which we have been enforcing. We are extremely proactive in cleaning up this area after the bar has closed as it is in front of The Stagg coffee shop.

There are several different businesses that surround Grinners immediately; Monk & Co Monday - Friday 9-5, Rude Boy Tuesday - Saturday 12pm - 12am and 12pm - 2am on weekends, The Stagg Monday - Sunday 6am - 2pm, Ken Self Cycles Monday - Friday 9am - 5pm. We have a good relationship with all surrounding businesses and have previously collaborated on a Midtown Street party. There is also a University owned residential building opposite Grinners. Many of the tenants frequent the bar and we have held several functions for both students and university staff. As previously mentioned, we have a good working relationship with them and have their best interests and comfort, as residents of the street, at heart.

As previously mentioned we have been trading till 4am for the last two years and have addressed any problems that our neighbours have brought up, we have a good working

relationship with every one of them and I believe, if asked, they would all support our out of hours permit.

We have one point of lighting outside which is a LED strip that runs along the underside of the awning. It lights up our immediate area with minimal light spill and creates a point of light in a otherwise dark street between 12am and 4am.

In terms of traffic and parking the bar has minimal impact, we do not use Uber Eats or any other food delivery service that may take up parking spots at the front of the venue. Between 12am and 4am no drinks are allowed outside the venue, the leads to minimal people being on the street between these hours (only smokers or people leaving or arriving at the venue) This lessons the impact of people near the roads and on the footpath. At those hours traffic is minimal apart from taxi's and Uber drivers delivering people to the venue and picking people up.

In closing, I believe Grinners has maintained close and positive relationships with the Midtown and broader CBD community, with our direct neighbours, police and the Hobart City Council all whilst trading between the hours of 12am and 4am over the last two years. I believe we have brought a positive vibe and atmosphere to the Midtown precinct, one which is relatively new and in which we have become part of the framework. People now want to come to visit midtown at night because they know it is safe, less busy than other night areas, they can get a quiet late-night drink and friendly service.

Reg	ards	ŝ
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Benjamin Wells

Owner/Licensee

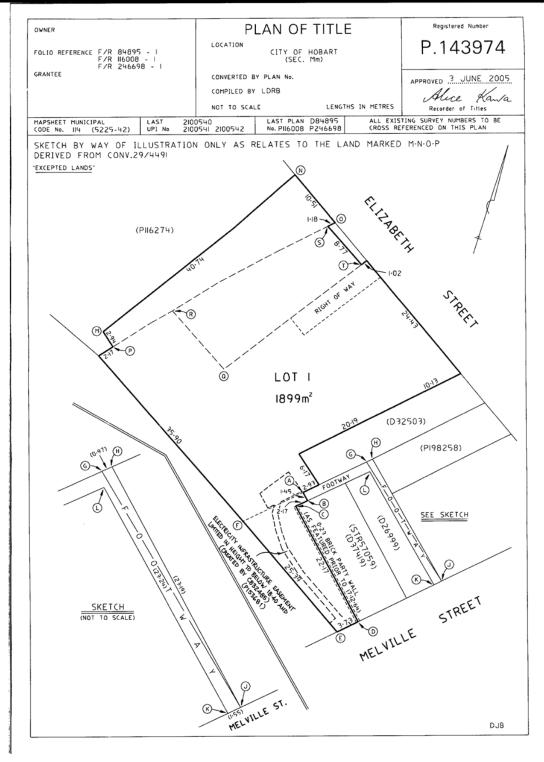


## **FOLIO PLAN**

RECORDER OF TITLES







Search Date: 20 Apr 2018

Search Time: 09:41 AM

Volume Number: 143974

Revision Number: 02

Page 1 of 1

# Page 236 ATTACHMENT B



### RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME 143974	FOLIO 1
EDITION	DATE OF ISSUE
4	25-Jul-2016

SEARCH DATE : 20-Apr-2018 SEARCH TIME : 09.40 AM

### DESCRIPTION OF LAND

City of HOBART

Lot 1 on Plan 143974

Derivation: Part of 1 Rood (Sec. M.m.) Gtd.to W. Salter and Whole of 8.1/2 Ps and 16 Ps. (Sec. m.m. Gtd. to W.Salter and M. Fitzgerald respectively and Part of Location to Lowes and W. Ward and Part of 0A-0R-12P Gtd. to W. Salter Prior CTs 84895/1, 246698/1 and 116008/1

### SCHEDULE 1

C574820 C546155 E28062 E. KALIS PROPERTIES PTY LTD Registered 25-Jul-2016 at noon

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any BENEFITING EASEMENT (appurtenant to the land marked A.B.C.D.E. F. on P.143974) the right to go return pass and repass but on foot only along over and upon the Footway marked B.A.G.J.K.L. on P.143974 created by

and more particularly described in Conveyance 16/7581 BENEFITING EASEMENT (appurtenant to the said land marked A.B.C. D.E.F. on P.143974) a right of footway over the Footway marked G.H.J. on P.143974

BENEFITING EASEMENT (appurtenant to the said land marked A.B.C. D.E.F. on P.143974) an easement relating to drainage of surface water created by and more particularly described in Conveyance No. 16/7581

A332683 BY TRANSFER OF EASEMENT - Silk Bros. Proprietary
Limited (herein called "the Grantor") granted to
Bridges Bros. proprietary Limited (herein called "the
Grantee") as appurtenant to the land marked R.S.T.Q.
on P.143974 a right over the Right of Way shown on P.
143974 (herein called "the said strip of land") in
the following terms namely: FULL AND FREE RIGHT AND
LIBERTY for the Grantee it successors and assigns and
the owner or owners for the time being of the said
land marked R.S.T.Q. or any part thereof and its his

# Page 237 ATTACHMENT B



### RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



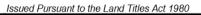
or their tenants and servants invitees licencees and all other persons with its his or their authority of permission in common nevertheless with all other persons having a like right at all times and at any time of the night or day on foot or with or without vehicles horses cattle carts or other carriages motors, or other vehicles or other descriptions for all or any purpose whatsoever to pass and repass along over and upon the said strip of land to the intent that (i) the said right shall be limited to such a right for a height of 12 feet 6 inches above the highest point at any time along the surface of the said strip of land such highest point at 8th August, 1969 (being the date of the instrument) being the North West corner thereof, (ii) it shall be lawful for the grantor it successors and assigns to erect and maintain a gate or gates across the frontage on Elizabeth Street with all necessary fittings and fixtures but always so that the same may be opened clear of the said strip of land and so that when opened the same shall leave a clear space of 11 feet 9 inches at least for passage and the said gate or gates shall not be locked or erected or maintained so as in any way to impede or restrict or obstruct the free use and enjoyment of the said right, and (iii) it shall be lawful for the Grantee its successors and assigns from time to time and at all times to amend and repair the surface of the said strip of land

- 15/5788 CONVEYANCE BURDENING EASEMENT: (appurtenant to the land marked M.N.O.P. on P.143974) RIGHTS OF LIGHT as mentioned therein
- A332683 BENEFITING EASEMENT: (appurtenant to the land marked R.S.T.Q. on P.143974) Right of Way over the Right of Way shown on Plan No. 143974
- C832485 TRANSFER of EASEMENT BURDENING ELECTRICITY
  INFRASTRUCTURE EASEMENT with the benefit of a
  restriction as to user of land in favour of Aurora
  Energy Pty Ltd over the Electricity Infrastructure
  Easement Limited in Height to Below 18.40 AHD shown
  on Plan 143974 (Subject to Provisions) Registered
  14-Jul-2008 at noon
- C642361 ADHESION ORDER under Section 110 of the Local Government (Building and Miscellaneous Provisions)
  Act 1993 Registered 24-Jun-2005 at noon
- C664540 MORTGAGE to Commonwealth Bank of Australia Registered 01-Sep-2005 at noon
- E28063 MORTGAGE to CBA Corporate Services (NSW) Pty Limited Registered 25-Jul-2016 at 12.01 PM



## **RESULT OF SEARCH**

RECORDER OF TITLES





UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Benjamin Lennon Wells Licensee 132 Elizabeth Street, Hobart, Tasmania Grinners Dive Bar ABN 51 625 804 391 Springsteen Cartel Pty Ltd Reference 00132134

August 11 2020

To whom it may concern,

On behalf of Springsteen Cartel Pty Ltd, trading as Grinners Dive Bar at 132 Elizabeth Street Hobart, the following signatures on this document recognise and recommend the company to trade from the hours of 12am – 3am Monday-Thursday as well as 12am – 4am on Fridays and Saturdays.

This letter is in direct regard to the application put forward by Grinners Dive Bar to extend its license to be able to trade between the hours of 12am to 4am. We hope that further recommendation for Grinners Dive Bar will encourage you to approve this license extension.

The signatures recognise the positive impact on the midtown community for the promotion and growth of this area and determine that trading within these hours is in no way harmful to the area or patrons/members of the community within this timeframe.

Grinners Dive Bar has been an active business in the greater Hobart community since its opening date of June 13, 2018. In this time Grinners Dive Bar has been compliant with neighbouring businesses to ensure its existence does not impact negatively on those companies. This includes collaborating with neighbouring business on events to encourage more people to visit the area.

Finally, in direct response to the Central Business Zone under clause 22.3.7.A1, the signatures on this document recognise that Grinners Dive Bar complies with the following:

The operation of Hotel Industry uses must not have an unreasonable impact on the amenity and safety of the surrounding uses, having regard to the following:

- (a) the hours of operation and intensity of the proposed use;
- (b) the location of the proposed use and the nature of surrounding uses and zones;
- (c) the impact of the proposed use on the mix of uses in the immediate area;
- (d) the impacts of lightspill;
- (e) possible noise impacts and proposed noise attenuation measures;

- (f) Crime Prevention Through Environmental Design including:
  - (i) reducing opportunities for crime to occur;
  - (ii) providing safe, well designed buildings;
  - (iii) minimising the potential for vandalism and anti-social behaviour;

(iv) promoting safety on neighbouring public and private land.

Signatures:

Massin Rude Boy

Massie Rude Boy

Monks & CO.

## Item No. 8.1

## 8. REPORTS

8.1 1 Hall Street Ridgeway - Consent to Construct Building Outside Building Envelope

File Ref: F20/97700; 3178728

Memorandum of the Environment Development Planner and the Director City Planning of 9 September 2020 and attachments.

Delegation: Council



### MEMORANDUM: CITY PLANNING COMMITTEE

# 1 Hall Street Ridgeway - Consent to Construct Building Outside Building Envelope

A planning permit was recently granted by the planning authority for the construction of a 127m<sup>2</sup> shed/garage at 1 Hall Street, Ridgeway, under planning permit PLN-20-383.

The Schedule of Easements to the Sealed Plan (SP157815) includes a covenant 'not to construct or maintain any building on Lot 1 outside Envelope A shown on the Plan without the prior written consent of the Hobart City Council. The Sealed Plan and Schedule of Easement are attached as Attachments A and B.

The location of the shed/garage approved under the planning permit is located outside Envelope A on the Sealed Plan. An agent for the owner has requested Council consent under the covenant for the shed/garage to be located outside Envelope A in the location approved for the planning permit. The proposed location of the shed/garage is shown in Attachment C.

It is understood that the building envelope was required as a condition of the subdivision approval that created the lot to ensure development of the lot avoided and minimised impacts to the most conservation-significant vegetation on the lot.

The shed/garage would be located in an existing cleared area and no vegetation impact is required.

The shed/garage would be located outside the three conservation areas specified in the Sealed Plan and Schedule of Easements.

The shed/garage would be located within the bushfire hazard management plan building protection zone for the existing house.

As the construction of the proposed shed/garage in this location would not impact any vegetation, and in particular the higher conservation value vegetation on the lot, it is recommended that Council grant consent for proposed shed/garage to be constructed outside Envelope A on the Sealed Plan.

## RECOMMENDATION

That in accordance with the Schedule of Easements to the Sealed Plan (SP157815) and as per the covenant 'not to construct or maintain any building on Lot 1 outside Envelope A, the Council provides consent for the shed/garage to be constructed outside Envelope A (shown in Attachment C) to this report and in the location approved under planning permit PLN-20-383.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Rowan Moore

ENVIRONMENT DEVELOPMENT PLANNER

Neil Noye

**DIRECTOR CITY PLANNING** 

Date: 9 September 2020 File Reference: F20/97700; 3178728

Attachment A: Sealed Plan 157815 \$\mathbb{T}\$

Attachment B: Schedule of Easements  $\mbox{\ $\mathbb{I}$}$ 

Attachment C: Location map ↓ 🖺

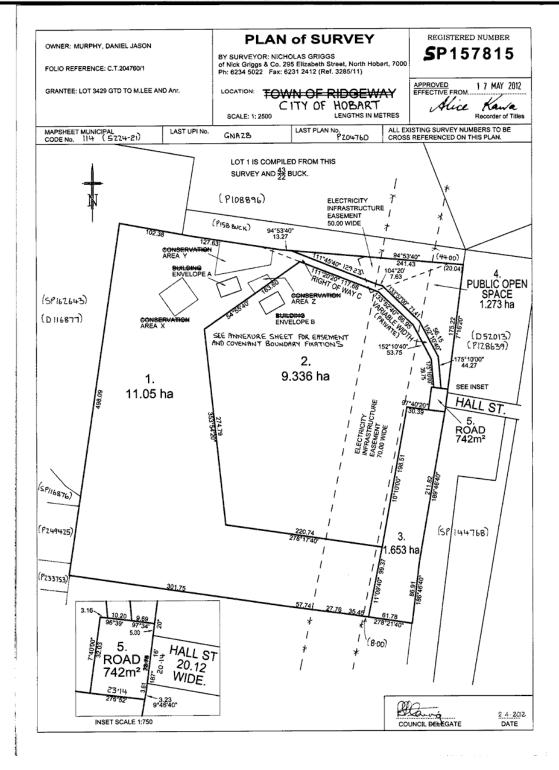


## **FOLIO PLAN**

RECORDER OF TITLES







Search Date: 07 Sep 2020

Search Time: 02:44 PM

Volume Number: 157815

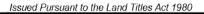
Revision Number: 01

Page 1 of 2

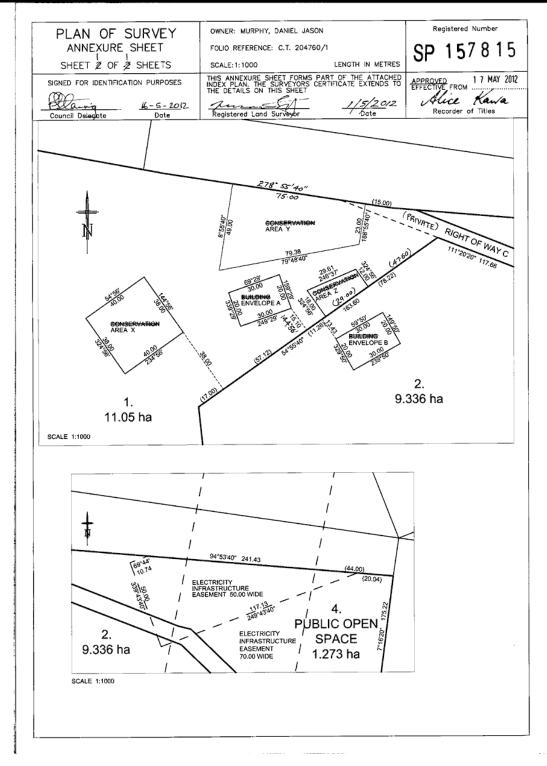


## **FOLIO PLAN**

RECORDER OF TITLES







Search Date: 07 Sep 2020

Search Time: 02:44 PM

Volume Number: 157815

Revision Number: 01

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### SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



## SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS

& MORTGAGEES OF THE LAND AFFECTED.

SIGNATURES MUST BE ATTESTED.

Registered Number

SP157

PAGE 1 OF 3 PAGE/S

#### EASEMENTS AND PROFITS

Each lot on the plan is together with:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and

any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and

any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 2 on the Plan is together with rights of carriageway over Right of Way C Variable Width forming part of Lot 1 shown on the Plan.

Lot 1 on the Plan is subject to a right of carriageway (appurtenant to Lot 2 on the Plan) over the Right of Way C Variable Width, forming part of Lot 1 shown on the Plan.

(Private) Lot 1 on the Plan is subject to a Right of Access (in favour of the Hobart City Council) over Right of Way C

Variable Width, shown on the Plan. (Private) Lots 1, 2 and 4 are each subject to an electricity easement in favour of Transend Networks Pty Ltd over the

Electricity Infrastructure Easement 70.00 wide shown on the Plan.

Lots 1, 2 and 4 are each subject to an electricity easement in favour of Transend Networks Pty Ltd over the Electricity Infrastructure Easement 50.00 wide shown on the Plan.

"Electricity Easement" means:

FIRSTLY the full and free right and liberty for Transend Networks Pty Ltd ABN 57 082 586 892 ("Transend") and its successors and its and their servants, agents and contractors at all times hereafter:

- To clear the easement (hereinafter called "the Servient Land") and to lay, erect, construct, install and operate, in, upon, over, along and under the servient land towers, poles, wires, cables and (a) apparatus, appliances and other ancillary work (hereinafter collectively called "electricity infrastructure") for the transmission of electrical energy and for purposes incidental thereto.
- To inspect, maintain, repair, modify, add to, replace and remove the electricity infrastructure. (b)

To cause or permit electrical energy to flow or be transmitted or distributed through the electricity (c) infrastructure.

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Daniel Jason Murphy

FOLIO REF: 204760 Folio 1

SOLICITOR

& REFERENCE: Shields Heritage - Mark Sansom

PLAN SEALED BY: Hobart City Council

DATE: 2 4 2012

REF NO.

546·08 MANAGER SHRVEYING SERVICES

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

Search Date: 02 Sep 2020

Search Time: 02:28 PM

Volume Number: 157815

Revision Number: 01

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## SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



### ANNEXURE TO SCHEDULE OF EASEMENTS

PAGE 3 OF 3 PAGES

SP157815

Registered Number

SUBDIVIDER: Daniel Jason Murphy FOLIO REFERENCE: 204760 Folio 1

Fencing Covenant

The Owner of each Lot on the Plan covenants with Daniel Jason Murphy (Vendor) that the Vendor shall not be required to fence.

#### Covenants

The owner of each Lot on the plan covenants with the Hobart City Council and the Owners for the time being of each of the other lots shown on the plan to the intent that the burden of these covenants may run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of each other lot on the plan and in favour of the Hobart City Council to observe the following stipulations.

Not to construct a fence through any designated <del>conservation area</del> on any lot on the Plan.

The owner of Lot 2 on the plan covenants with the Hobart City Council to the intent that the burden of these covenants may run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be in favour of the Hobart City Council to observe the following stipulations.

Not to construct or maintain any building on Lot 2 outside the Building-Envelope B shown on the Plan without the prior written consent of the Hobart City Council.

The owner of Lot 1 on the plan covenants with the Hobart City Council to the intent that the burden of these covenants may run with and bind the covenantor's lot and every part thereof and that the benefit thereof may be in favour of the Hobart City Council to observe the following stipulations.

Not to construct or maintain any building on Lot 1 outside the Building Envelope A shown on the Plan without the prior written consent of the Hobert City Council.

Signed by Daniel Jason Murphy in the presence of:	<b>)</b>	V	Heralf
(Witness) Signature \ Oblock Name \ Kelk (r. a. Lodge			
Address SO Victoria Street.  Occupation law clerk.		7	

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

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## SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



# ANNEXURE TO SCHEDULE OF EASEMENTS

PAGE 2 OF 3 PAGES

Registered Number

SP157815

SUBDIVIDER: Daniel Jason Marphy FOLIO REFERENCE: 204760 Folio 1

- (d) To cut away remove and keep clear of the electricity infrastructure all trees and other obstructions or erections of any nature whatsoever which may at any time overhang, encroach upon or be in or on the servient land and which may in the opinion of Transend or its successors endanger or interfere with the proper operation of the electricity infrastructure.
- (e) To enter into and upon the servient land for all or any of the above purposes with or without all necessary plant equipment and machinery and the means of transporting the same if necessary to cross the remainder of the land, where practicable in consultation with the registered proprietors, for the purpose of access and egress to and from the servient land.

### "Right of Access" means:

- (1) The right for the employees of the City of Hobart and contractors engaged by the City of Hobart :
  - (a) To pass across the lot burdened but only within the site of this easement for the purpose of exercising or performing any of its powers, authorities, duties or functions;
  - (b) To do anything reasonably necessary for passing across the easement including entering the easement, taking anything onto the easement; and
  - (c) Carrying out work within the site of the easement such as maintaining trafficable surfaces.
- (2) In exercising those powers the City of Hobart must:
  - (a) Ensure all works are done properly;
  - (b) Cause as little inconvenience as is practicable to the owner or any occupier of the lot burdened;
  - (c) Cause as little damage as is practicable to the lot burdened and any improvements on it;
  - (d) Make good any damage caused to the lot burdened; and
  - (e) Make good any collateral damage.
- (3) For the avoidance of doubt the Right of Access does not extend to members of the public having access to the easement.

SECONDLY, the benefit of a covenant for Transend and its successors with the registered proprietors for themselves and their successors in title not to erect any buildings or place any structures or objects within the servient land without the prior written consent of Transend or its successors to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit therein may be annexed to the easement hereinbefore described.

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Search Date: 02 Sep 2020

Search Time: 02:28 PM

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Proposed shed/garage location

Disclaimer: The City of Hobart does not warrant that the information contained on this plan is correct and a field survey is to be conducted before the information contained in the plan is relied upon.

© City of Hobart. Map generated on: Monday, 07 September, 2020.



Scale: 1: 500



# 8.2 Monthly Building Statistics - 1 August - 31 August 2020 File Ref: F20/98288; 16/117

Memorandum of the Director City Planning of 9 September 2020 and attachments.

Delegation: Council



### **MEMORANDUM: CITY PLANNING COMMITTEE**

# Monthly Building Statistics - 1 August - 31 August 2020

Attached is the monthly building statistics for the period 1 August – 31 August 2020.

### RECOMMENDATION

### That:

During the period 1 August 2020 to 31 August 2020, 44 permits were issued to the value of \$5,892,275 which included:

- (i) 28 for Extensions/Alterations to Dwellings to the value of \$4,257,786;
- (ii) 3 New Dwellings to the value of \$790,000; and
- (iii) 0 Major Projects

During the period 1 August 2019 to 31 August 2019, 58 permits were issued to the value of \$13,621,435 which included:

- (i) 34 for Extensions/Alterations to Dwellings to the value of \$3,777,380;
- (ii) 13 New Dwellings to the value of \$4,397,048; and
- (iii) 2 Major Projects:
  - (a) 20 Aotea Road, Sandy Bay New Building (Stage 2) \$1,734,448; and
  - (b) 2 Churchill Avenue, Sandy Bay Alterations Level 3 to 5 and Change of Use - Stage 1 - Excludes Kitchen area and passive fire/suppression systems on Level 5 - \$2,772,000

In the twelve months ending August 2020, 601 permits were issued to the value of \$219,128,955; and

In the twelve months ending August 2019, 643 permits were issued to the value of \$320,088,082.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Neil Noye

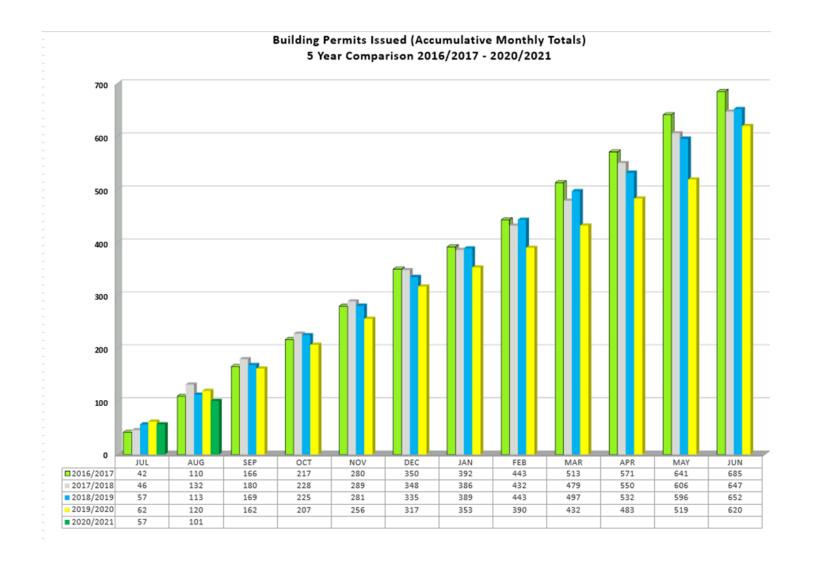
**DIRECTOR CITY PLANNING** 

Date: 9 September 2020 File Reference: F20/98288; 16/117

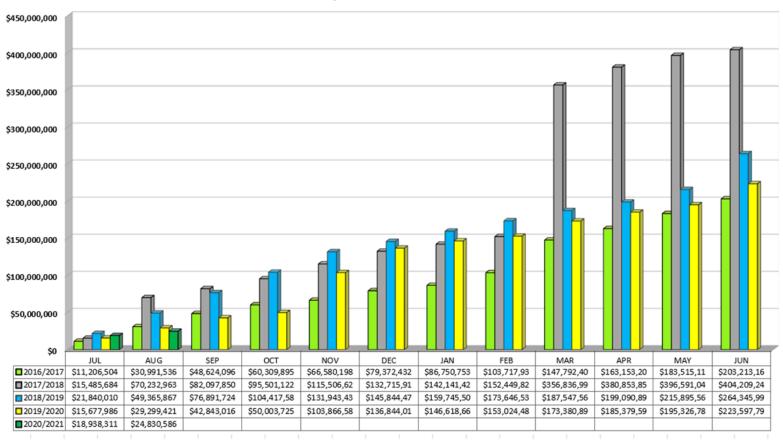
Attachment A: Number of Building Permits Issued - 5 Year Comparison -

August 2020 I

Attachment B: Value of Building Permits Issued - 5 Year Comparison I



#### Building Permits Value (Accumulative Monthly Totals) 5 Year Comparison 2016/2017 - 2020/2021



## 8.3 Delegated Decisions Report (Planning) File Ref: F20/97692

Memorandum of the Director City Planning of 7 September 2020 and attachment.

Delegation: Committee



#### **MEMORANDUM: CITY PLANNING COMMITTEE**

#### **Delegated Decisions Report (Planning)**

Attached is the delegated planning decisions report for the period 24 August 2020 to 4 September 2020.

#### RECOMMENDATION

#### That:

#### 1. That the information be received and noted.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Neil Noye

**DIRECTOR CITY PLANNING** 

Date: 7 September 2020

File Reference: F20/97692

Attachment A: Delegated Decisions Report (Planning) \$\Bar{\Pi}\$

### Agenda (Open Portion) City Planning Committee Meeting - 14/9/2020

7 September 2020

#### Delegated Decisions Report (Planning)

24 applications found.			Approved	Withdrawn / Al Cancelled	
Planning Description	Address	Works Value	Decision	Authority	
PLN-20-145 Alterations (Decks and Pavilion)	607-627 NELSON ROAD MOUNT NELSON TAS 7007	\$ 250,000	50,000 Approved De		
PLN-20-291 Partial Demolition, Alterations and Extension	20 WIGNALL STREET NORTH HOBART TAS 7000	\$ 450,000	Withdrawn	Applicant	
PLN-20-317 Partial Demolition, Alterations, Extension, Outbuilding and Front Fencing	73 VIEW STREET SANDY BAY TAS 7005	Approved	Delegated		
PLN-20-319 Partial Demolition, Alterations and Extension	102 MARLYN ROAD SOUTH HOBART TAS 7004				
PLN-20-341 Partial Demolition, Alterations, Extension, Carport, Landscaping and Front Fencing	12 AUVERGNE AVENUE MOUNT STUART TAS 7000	\$ 500,000	Approved	Delegated	
PLN-20-343 Dwelling	28 BEAUMONT ROAD LENAH VALLEY TAS 7008	\$ 300,000	Approved	Delegated	
PLN-20-347 Alterations	43 BROWNE STREET WEST HOBART TAS 7000	\$ 100,000	Approved	Delegated	
PLN-20-380 Carport	176 NEW TOWN ROAD NEW TOWN \$ 10,000 TAS 7008				
PLN-20-405 Alterations (Deck)	21 FRASER STREET NEW TOWN TAS \$ 10,000 k) 7008				
PLN-20-415 Partial Demolition, Alterations and Extension	Demolition, Alterations and TAS 7005				
PLN-20-416 Outbuilding	14 CLAUDE STREET NEW TOWN TAS 7008				
PLN-20-417 Change of Use to Food Services	189 ELIZABETH STREET HOBART TAS 7000	\$ 20,000	Approved	Delegated	
PLN-20-425 Partial Demolition, Alterations and Extension (Re-Advertised)	emolition, Alterations and 7054				
PLN-20-426 Temporary Shipping Container	43-47 GROSVENOR STREET SANDY BAY TAS 7005	\$ 130	Approved	Delegated	
PLN-20-432 Display Cabinet	14 WELD STREET SOUTH HOBART TAS 7004	\$ 0	Approved	Delegated	
PLN-20-441 Signage	16 MONTPELIER RETREAT BATTERY POINT TAS 7004	\$ 0	Approved	Delegated	
PLN-20-451 Signage	150 CHURCHILL AVENUE SANDY BAY TAS 7005	\$ 3,000	,000 Approved D		
PLN-20-470 Signage	178-180 CAMPBELL STREET NORTH HOBART TAS 7000	\$ 0	Approved	pproved Delegated	
PLN-20-474 Partial Demolition and Alterations	212-218 MACQUARIE STREET HOBART TAS 7000	\$ 15,000	Approved	Delegated	
PLN-20-482 Alterations and Signage	35-43 BRISBANE STREET HOBART \$ 0				
PLN-20-486 Partial Demolition, Alterations and Extension	486 32 SMITH STREET NORTH HOBART \$ 175,000 Demolition, Alterations and TAS 7000				
PLN-20-507 Front Fencing	132 CASCADE ROAD SOUTH HOBART TAS 7004	\$ 2,000	Approved	Delegated	
PLN-20-553 Partial Demolition and Alteration	20 HAMILTON STREET WEST HOBART TAS 7000	\$ 70,000	Exempt	Delegated	
PLN-20-65 Front Fencing	15 OAKLEY STREET NEW TOWN TAS 7008	\$ 2,000	Approved	Delegated	

## Agenda (Open Portion) City Planning Committee Meeting 14/9/2020

## 8.4 City Planning - Advertising Report File Ref: F20/97669

Memorandum of the Director City Planning of 8 September 2020 and attachment.

Delegation: Committee



**MEMORANDUM: CITY PLANNING COMMITTEE** 

### **City Planning - Advertising Report**

Attached is the advertising list for the period 24 August 2020 to 4 September 2020.

#### RECOMMENDATION

That:

#### 1. That the information be received and noted.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

**Neil Noye** 

**DIRECTOR CITY PLANNING** 

Date: 8 September 2020

File Reference: F20/97669

Attachment A: City Planning - Advertising Report I

					- · · · · ·		Proposed	Advertising	Advertising
Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Delegation	Period Start	Period End
PLN-20-77	22 EDGE AVENUE	LENAH VALLEY	Partial Demolition, Alterations and Extension	\$180,000	24/10/2020	ayersh	Director	24/08/2020	07/09/2020
PLN-20-477	671 SANDY BAY ROAD	SANDY BAY	Partial Demolition, Alterations and Extension	\$200,000	16/09/2020	ayersh	Director	28/08/2020	11/09/2020
PLN-20-370	21 CROSS STREET	NEW TOWN	Partial Demolition, Bus Shelter and Associated Works	\$50,000	01/10/2020	ayersh	Council	31/08/2020	14/09/2020
PLN-20-427	2 CHURCHILL AVENUE	SANDY BAY	Flood Mitigation Works	\$130,000	23/09/2020	ayersh	Director	31/08/2020	14/09/2020
PLN-20-488	12 KELLY STREET	BATTERY POINT	Partial Demolition, Alterations and Extension	\$150,000	01/10/2020	ayersh	Director	31/08/2020	14/09/2020
PLN-20-506	127 ARGYLE STREET	HOBART	Alterations (Re- Roofing)	\$60,000	25/09/2020	ayersh	Director	02/09/2020	16/09/2020
PLN-20-540	12 HICKMAN STREET	LENAH VALLEY	Partial Demolition, Alteration and Extension	\$190,000	02/10/2020	baconr	Director	27/08/2020	10/09/2020
PLN-20-467	72 LIVERPOOL CRESCENT	WEST HOBART	Partial Demolition, Alterations and Extension	\$140,000	24/09/2020	baconr	Director	03/09/2020	17/09/2020
PLN-19-71	8 RUSHWOOD COURT	LENAH VALLEY	Retaining Wall and Fencing	\$25,000	29/09/2020	baconr	Director	04/09/2020	18/09/2020
PLN-20-40	354 MACQUARIE STREET	SOUTH HOBART	Partial Demolition and Extension	\$45,000	03/10/2020	baconr	Council	04/09/2020	18/09/2020
PLN-20-535	9 CANE STREET	WEST HOBART	Partial Demolition and Alterations	\$100,000	23/09/2020	baconr	Director	04/09/2020	18/09/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-19-900	9 KOOYONG GLEN	SOUTH HOBART	Subdivision (One Additional Lot)	\$20,000	08/09/2020	langd	Council	25/08/2020	08/09/2020
PLN-20-439	3 HEARTWOOD ROAD	LENAH VALLEY	Dwelling	\$550,000	01/10/2020	langd	Director	25/08/2020	08/09/2020
PLN-20-511	50 FORSTER STREET	NEW TOWN	Carport	\$9,000	18/10/2020	langd	Director	26/08/2020	09/09/2020
PLN-20-529	6 GROSVENOR STREET	SANDY BAY	Partial Demolition and Alterations	\$150,000	30/09/2020	langd	Director	26/08/2020	09/09/2020
PLN-20-476	578 A NELSON ROAD	MOUNT NELSON	Carport	\$15,000	26/09/2020	langd	Director	03/09/2020	17/09/2020
PLN-20-549	98 MOLLE STREET	WEST HOBART	Partial Demolition, Alterations and Partial Change of Use to Visitor Accommodation	\$10,000	06/10/2020	langd	Director	04/09/2020	18/09/2020
PLN-19-468	39 NICHOLAS DRIVE	SANDY BAY	Partial Demolition, Alterations and Extension	\$180,000	29/09/2019	maxwellv	Director	02/09/2020	16/09/2020
PLN-20-429	1 DIGNEY STREET	DYNNYRNE	Partial Demolition, Alterations and Extension	\$300,000	22/09/2020	maxwellv	Director	02/09/2020	16/09/2020
PLN-20-536	6 SPRINGVALE AVENUE	NEW TOWN	Partial Demolition and Alterations	\$100,000	30/09/2020	mcclenahanm	Director	25/08/2020	08/09/2020
PLN-20-434	109 - 113 LIVERPOOL STREET	HOBART	Alterations and Signage	\$50,000	14/09/2020	mcclenahanm	Director	26/08/2020	09/09/2020
PLN-20-445	23 PILLINGER DRIVE	FERN TREE	Ancillary Dwelling	\$175,000	11/09/2020	mcclenahanm	Director	26/08/2020	09/09/2020
PLN-20-419	36 WILLIAM COOPER DRIVE	NEW TOWN	Dwelling	\$500,000	26/09/2020	mcclenahanm	Director	27/08/2020	10/09/2020

Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Proposed Delegation	Advertising Period Start	Advertising Period End
PLN-20-500	16 BEAUMONT ROAD	LENAH VALLEY	Dwelling	\$380,675	23/09/2020	nolanm	Director	25/08/2020	08/09/2020
PLN-20-315	7 YARDLEY STREET	NORTH HOBART	Partial Demolition and Alterations	\$90,000	15/09/2020	nolanm	Director	26/08/2020	09/09/2020
PLN-20-491	6 RUPERT AVENUE	MOUNT STUART	Carport	\$5,000	24/09/2020	nolanm	Director	26/08/2020	09/09/2020
PLN-20-473	54 SUMMERHILL ROAD	WEST HOBART	Outbuilding	\$12,000	04/10/2020	nolanm	Director	01/09/2020	15/09/2020
PLN-20-528		BATTERY POINT	Partial Change of Use to Food Services and Signage	\$5,000	07/10/2020	nolanm	Director	03/09/2020	17/09/2020
PLN-20-530		NEW TOWN	Outbuilding	\$16,500	12/10/2020	nolanm	Director	03/09/2020	17/09/2020
PLN-20-469	15 FORBES AVENUE	WEST HOBART	Front Fencing and Landscaping	\$6,000	12/09/2020	obrienm	Director	25/08/2020	08/09/2020
PLN-20-538	35 DE WITT STREET	BATTERY POINT	Alterations (Solar Panels)	\$6,000	02/10/2020	sherriffc	Director	31/08/2020	14/09/2020
PLN-20-148	ROAD	WEST HOBART	Two Multiple Dwellings (One Existing, One New)	\$250,000	21/09/2020	sherriffc	Council	02/09/2020	16/09/2020
PLN-20-361	10 BIMBADEEN COURT	WEST HOBART	Two Multiple Dwellings	\$950,000	22/09/2020	wilsone	Director	27/08/2020	01/09/2020
PLN-20-465	1/5 COWLEY PLACE	LENAH VALLEY	Garage	\$16,000	23/09/2020	wilsone	Director	27/08/2020	10/09/2020
PLN-20-510	7 WORLEY STREET	NORTH HOBART	Alterations and Ancillary Dwelling	\$50	25/09/2020	wilsone	Director	28/08/2020	11/09/2020

							Proposed	Advertising	Advertising
Application	Street	Suburb	Development	Works Value	Expiry Date	Referral	Delegation	Period Start	Period End
			Partial Demolition,						
			Alterations,						
			Extension,						
			Subdivision						
			(Boundary						
			Adjustment and						
			Consolidation),						
			Front Fencing and						
			New Building for						
	161 DAVEY		Visitor						
PLN-20-278	STREET	HOBART	Accommodation	\$450,000	25/09/2020	wilsone	Director	02/09/2020	16/09/2020
	303 DAVEY	SOUTH	Change of Use to						
PLN-20-325	STREET	HOBART	Boarding House	\$0	15/07/2020	wilsone	Director	04/09/2020	18/09/2020

#### **RESPONSES TO QUESTIONS WITHOUT NOTICE** 9.

Regulation 29(3) Local Government (Meeting Procedures) Regulations 2015. File Ref: 13-1-10

#### The General Manager reports:-

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman is not to allow discussion or debate on either the question or the response."

#### **Building Approvals - 2019 - 2020** File Ref: F20/83420; 13-1-10

Memorandum of the Director City Planning of 9 September 2020.

#### 9.2 Planning Scheme Amendments - PSA 19-1 File Ref: F20/83422; 13-1-10

Memorandum of the Director City Planning of 9 September 2020.

Delegation: Committee

That the information be received and noted.



Memorandum: Lord Mayor

**Deputy Lord Mayor Elected Members** 

# Response to Question Without Notice BUILDING APPROVALS - 2019 - 2020

Meeting: City Planning Committee Meeting date: 3 August 2020

Raised by: Alderman Behrakis

#### Question:

Can the Director advise what the total value of the development applications that were refused by the Council in the 2019/20 financial year?

#### Response:

From 1 July 2019 until 30 June 2020, 9 Applications were refused by the Council, totalling an estimated value of \$37,198,000.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

**Neil Noye** 

DIRECTOR CITY PLANNING

Date: 9 September 2020 File Reference: F20/83420; 13-1-10



Memorandum: Lord Mayor

Deputy Lord Mayor Elected Members

### Response to Question Without Notice

#### PLANNING SCHEME AMENDMENTS - PSA 19-1

Meeting: City Planning Committee Meeting date: 3 August 2020

Raised by: Alderman Behrakis

#### Question:

Can the Director advise when the scheme amendments PSA 19-1 are formally to come into effect and would these amendments have made approval more difficult for development applications that have recently been approved and constructed such as the Batch House Apartments or Melville Street development applications?

#### Response:

The proposed scheme amendments PSA 19-1 will formally come into effect on 19<sup>th</sup> November 2020. In relation to the impacts of the approved amendments on previously approved developments it is not definitively possible to determine unless a rigorous assessment was undertaken. However, I am confident that residential proposals could be developed on those sites that delivered a reasonable level of residential amenity envisaged and encouraged by these amendments.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.

Neil Noye

**DIRECTOR CITY PLANNING** 

## Agenda (Open Portion) City Planning Committee Meeting 14/9/2020

Date: 9 September 2020 File Reference: F20/83422; 13-1-10

## Agenda (Open Portion) City Planning Committee Meeting 14/9/2020

#### 10. QUESTIONS WITHOUT NOTICE

Section 29 of the Local Government (Meeting Procedures) Regulations 2015.

File Ref: 13-1-10

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the General Manager or the General Manager's representative, in line with the following procedures:

- The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
- 2. In putting a question without notice, an Elected Member must not:
  - (i) offer an argument or opinion; or
  - (ii) draw any inferences or make any imputations except so far as may be necessary to explain the question.
- 3. The Chairman must not permit any debate of a question without notice or its answer.
- 4. The Chairman, Elected Members, General Manager or General Manager's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
- 5. The Chairman may require a question to be put in writing.
- 6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
- 7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
  - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
  - (ii) a written response will be provided to all Elected Members, at the appropriate time.
  - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

#### 11. CLOSED PORTION OF THE MEETING

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures)*Regulations 2015 because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion

The following items were discussed: -

Item No. 1	Minutes of the last meeting of the Closed Portion of the Council
	Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Questions Without Notice